APPLICATION NO:
F/2000/1164

LOCATION:
Wyevale Garden Centre Bath Road, Hare Hatch Reading.

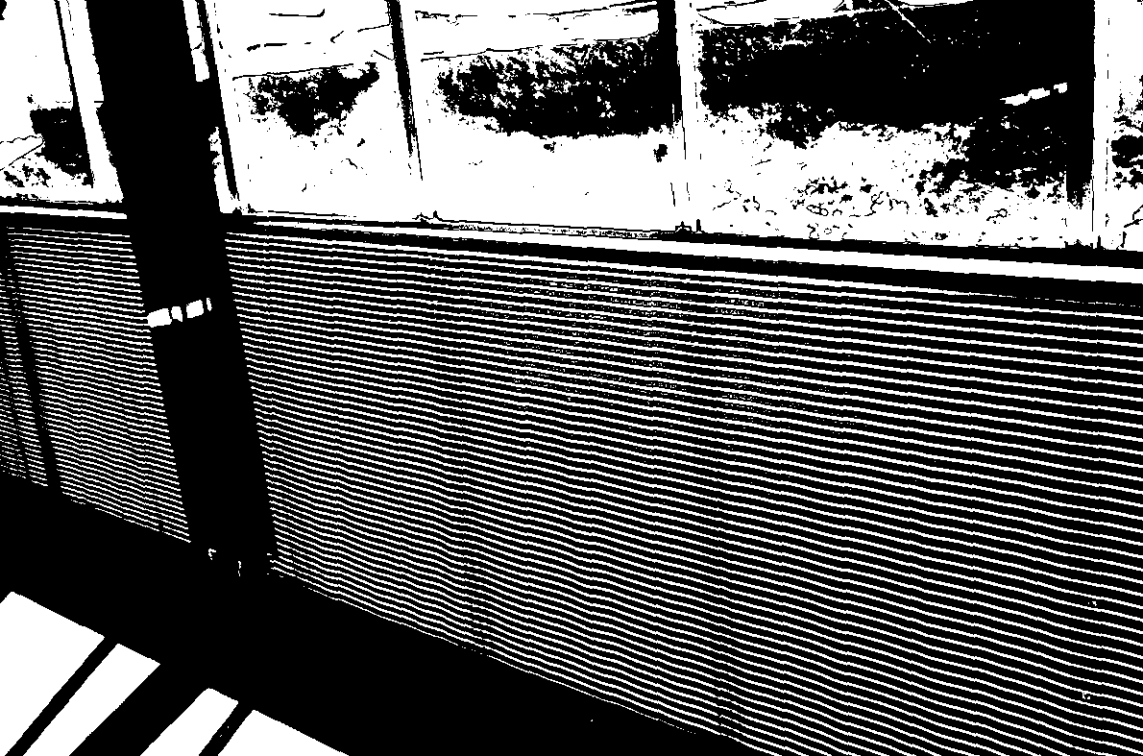
APPLICANT:
Kennedy Garden Centres Ltd

PROPOSAL:
Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)

EARLIEST DATE FOR DECISION: **12/05/2000**

APPLICATION EXPIRY DATE: **30/05/2000**

CASE OFFICER: **Heather Morgan**







Copy for Application File

Appeal Decision

Inquiry held on 07 March 2001

The Planning Inspectorate
Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

by Peter F Jamieson
CEng MICE MIHT MIMgt MRTPI

an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions

Date
12 MAR 2001

Appeal Ref: APP/X0360/A/00/1053278
Wyevale Garden Centre, Bath Road, Hare Hatch, Reading, Berks

- **The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to** grant planning permission.
- The appeal is made by Kennedy Garden Centres Ltd against the decision of Wokingham District Council.
- The application (ref: F/2000/1164), dated 31 March 2000, was refused by notice dated 19 July 2000.
- The development proposed is revised elevations to a garden centre building.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. Planning permission was granted on 1 February 2000 for the erection of replacement buildings at the appeal site (ref: 99/7035/F). Construction of these buildings has commenced and three out of five glasshouses have been erected. These glasshouses have not, however, been constructed in accordance with the approved plans. The appeal proposal is in respect of a planning application to regularise this situation by way of a retrospective application to retain the completed buildings and a prospective application to enable the remaining buildings to be similar to those newly erected.

2. As far as the retention of the three glasshouses is concerned, I shall consider this appeal as one made under Section 73A(2)(a) of the 1990 Act.

3. The appeal site lies within the Metropolitan Green Belt.

4. It was agreed at the outset of the inquiry that the issue of glazing materials in the glasshouses was no longer a matter of contention.

Main Issues

5. I consider it necessary to determine this appeal on the basis of a new development in the Green Belt, with the earlier planning permission as a fall-back position. The main issues in this case are thus:-

   i) whether the proposal is inappropriate development in the Green Belt and if so whether there are any very special circumstance that would overcome the presumption against such development,

   ii) the impact of the additional size of the glasshouses on the character of the area and on the openness of the Green Belt.

Planning Policy

6. The development plan for the area comprises the Berkshire Structure Plan 1991-2006 and

the Green Belt Local Plan for Berkshire (1985). It was agreed that the latter does not provide any significant assistance in this case and that the key development plan policy is Structure Plan Policy C4. I concur with this. Policy C4, in common with PPG2, includes a presumption against inappropriate development in the Metropolitan Green Belt.

7. Reference was also made to the emerging Wokingham District Local Plan, which is at an advanced stage in the adoption process. The relevant policy here is Policy WGB1, which is similar in content to Policy C4 and to Planning Policy Guidance on Green Belts (PPG2).

Reasons

Inappropriate Development

8. There is no disagreement that the proposed development would be inappropriate development in the Green Belt as defined in PPG2. It follows that the proposals would not comply with the categories of development listed in Policy C4. Unless very special circumstances are found to exist, therefore, the proposals would be in conflict with Policy C4. There is agreement that the development would not compromise any of the purposes of including land in the Green Belt as listed in paragraph 1.5 of PPG2, which is a further requirement of Policy C4.

Very Special Circumstances

9. The fact that the garden centre has been on this site for many years and a recent planning permission granted for a development of similar style to that built/proposed are factors which weigh in favour of the proposal.

10. The appellant acknowledged that a likely outcome of a dismissal of this appeal could be the demolition of the three glasshouses erected contrary to the approved plans. Since this would result in wasted resources, in terms of cost and materials, it was argued that this would conflict with the objectives of Structure Plan Policy LD1 and emerging Local Plan Policy WOS1, both of which seek to conserve natural resources. Although I recognise the potential for wasted resources in such a situation, I consider such a justification to be unacceptable and one that could set an undesirable precedent.

11. In considering the previous planning application, the Council took into account the very special circumstances applicable at that time. These included the improved access arrangements, the consolidation of scattered buildings on the site and the removal of the tall parabolic building. These benefits were seen to outweigh any harm caused by the development proposed in 99/7035/F. Since these benefits were secured by the earlier scheme, they cannot be recycled for consideration against the present proposals.

12. Other potential very special circumstances cited are, in my view, matters relating to the impact on the Green Belt of the proposed development, compared with that of the approved scheme and these will be dealt with later. It is clear, however, that there are considerations that need to be taken into account in this appeal, but these must be judged against any harm arising from the development.

Impact on the Green Belt

13. Policy C4 requires development to be acceptable in scale, form, impact, character and siting. The Council conceded that scale and impact are the only issues in contention. The

approved scheme comprises five glasshouses with ridge heights of about 4.2 and 4.7 metres and valley heights of about 3.0 metres. The three glasshouses now erected are 5.8 and 6.4 metres high with valley heights of 3.9 metres. It is proposed that the heights of the two remaining glasshouses should be the same as those already erected. The increase in height over and above the approved development is/would be 1.6 to 1.7 metres. The floor area as approved is 2530 sq m compared with a proposed total of 2818 sq m.

14. There is a significant amount of development surrounding the glasshouses, both on the garden centre site itself and elsewhere in the vicinity. Although within the Green Belt, the site is not open countryside and the Council accepted this distinction. I have consequently assessed the impact of the existing and proposed glasshouses in the light of the neighbouring development.

15. From my observations of the site and its surroundings, it is apparent that the glasshouses have the greatest impact when viewed from Bath Road, to the south east of the appeal site. From this viewpoint, I found the building to be particularly dominant and visually intrusive. The wide expanse of the building frontage at such a height appears urban in nature and detrimental to the character of this rural area. Since the appeal proposals are some 36% or so higher than the approved scheme, the overall impact is likely to be considerably greater in the present situation than would have been the case with the approved scheme. If the buildings were at the approved lower height, the bank of trees now visible above the roof line would be much more prominent, thereby reinforcing the rural nature of the surroundings. Although the buildings totally obscure any views of the open fields to the north, this would be equally true in the fall-back position.

16. The openness of the Green Belt is a function of the extent of the development and its impact on the space remaining around and above it. In this case, I find the revised elevations to have a significantly greater and more damaging impact on these factors than would the fall-back position.

17. My attention was drawn to the adjacent Mabey House and to the barn at Hare Hatch Nurseries, both of which are higher than the existing/proposed glasshouses. However, these buildings have substantially lesser frontages than have the glasshouses and at a greater distance back from Bath Road. Their overall impact on the area is consequently much less.

18. Additional landscaping was offered as a means of reducing the impact of the buildings. There is extensive frontage planting at the western end of the site and this partially screens views of the glasshouses from Bath Road. Although further planting would be likely to soften the views from the south east, it would not overcome the fundamental impact on the openness of the Green Belt. The revised elevations are symmetrical in layout with the two lower sections at the outer extremes. I agree that this would create a more pleasing appearance than that of the approved asymmetrical arrangement. However, I do not agree that this would in any way reduce the impact of the increased height of the structure.

19. Although the floor area of the appeal scheme is 12% greater than that as approved, the front elevation is only marginally longer. It is the latter dimension that is critical to the impact of the glasshouses. Consequently I do not find the increase in area to be of any significant detriment. Reference was also made to an appeal decision at Baddesley Clinton, where an increase in height and width of the dwelling was found to be of no significantly greater harm than the house as approved. Since I have found the opposite to apply in this case, the two cases are clearly dissimilar.

20. I conclude on this issue that the revised elevations are/would be unacceptable in scale and impact on the character of this location and detrimental to the openness of the Green Belt. In these respects the proposals are in conflict with Policy C4 and with PPG2.

Conclusions

21. I find the factors in favour of the development to be insufficient to overcome the harm caused by the increased height of the revised elevations compared with the fall-back position of the approved scheme (99/7035/F). I conclude, therefore, that there are no very special circumstances sufficient to outweigh the harm by reason of inappropriateness and other identified harm to the Green Belt. The retention/completion of the revised elevations would thus be contrary to Structure Plan Policy C4, emerging Local Plan Policy WGB1 and national policy guidance contained in PPG2.

22. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

23. In exercise of the powers transferred to me, I dismiss the appeal.

Information

24. Particulars of the right of appeal against this decision to the High Court are enclosed for those concerned.



INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Anthony Dinkin QC	Instructed by Malcolm Scott Consultants Ltd
He called:	
Helen Scott BA(Hons) DipTP MRTPI	Malcolm Scott Consultants Ltd Agents for the appellant

FOR THE LOCAL PLANNING AUTHORITY:

The Hon Mary Macpherson	Of counsel, instructed by Mrs M Savarin of Wokingham DC
She called:	
Mike Evans BA MA MPhil DipTP	Wokingham DC

DOCUMENTS

Document	1	List of persons present at the Inquiry.
Document	2	Council's letter of notification of the inquiry and list of persons notified
Document	3	Appendices to Mr Evans' proof of evidence
Document	4	Bundle of copy documents submitted by the Council
Document	5	Appendices to Mrs Scott's proof of evidence
Document	6	Copy correspondence submitted by the appellant
Document	7	Revised table of comparative dimensions submitted by the appellant
Document	8	Copy of decision letter for appeal at Baddesley Clinton
Document	9	List of draft conditions submitted by the Council

PLANS

Plan	A1-A3	Application plans
Plan	B	Location plan
Plan	C	Green Belt
Plan	D	Overlay of approved scheme and appeal scheme

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Kennedy Garden Centres Ltd
Kings Acre Road
Hereford
HR4 OSE

Application Number: F/2000/1164

Parish:	**WARGRAVE**
Location:	**Wyevale Garden Centre, Bath Road, Hare Hatch, Reading.**
Proposal:	**Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)**

The Wokingham District Council in pursuance of their powers under the above Acts and Regulations hereby **Refuse Permission** for carrying out the above development in accordance with the application and the accompanying plans submitted to the Council subject to compliance with the following conditions, the reasons for which are specified hereunder.

Reason

1. The proposed building, by reason of its increased height, mass and bulk would result in a visually intrusive form of development, detrimental to the open character of the Green Belt. As such, it represents an inappropriate form of development in the Green Belt. The proposal is contrary to Policy I of the Green Belt Local Plan for Berkshire, Policy C4 of the Berkshire Structure Plan and Policy WGB1 of the Wokingham District Local Plan (Deposit Draft) as modified.

John Mitchell
Development Control Manager
Date: 19/07/2000

If this notice grants permission to proceed with the proposal the applicant is reminded that it relates to planning permission only and does not constitute approval under any other legislation including Building Regulations.

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON WEDNESDAY 19 JULY 2000 FROM 7 00 PM TO 9.55 PM

Present: Mrs D.C. Beatty, Mr. M.J Bryant, Mr. T.P Dredge, Mr. J.L. Earnshaw, Mrs J.A Lissaman, Mrs M.A. Long, Mr. K.A. Malvern, Mrs. M. Robertson, and Fiona Rolls.

Also present under Standing Order 39: Mr. F.D Browne, Mr. G. Cowan, Simon. Etheridge and Mr. A.J.Ross

64. CHAIRMAN

RESOLVED: That Mr. K.A Malvern be elected Chairman of the Committee for the 2000/2001 Municipal Year.

65. VICE-CHAIRMAN

RESOLVED: That Mrs J.A Lissaman be elected Vice-Chairman of the Committee for the 2000/2001 Municipal Year.

66. ORDER OF BUSINESS

With the agreement of the Committee, the order of business was varied so that those applications where members of the public had indicated a wish to speak could be dealt with first.

67. MINUTES

The Minutes of the meeting of the Committee held on 28 June 2000 were confirmed as a correct record and signed by the Chairman.

68. APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr. S.J.Conway, Mr. R.F.N.Eke and Mr. B.J.S Patman.

Mr. F.D Brown, a local Member attended the meeting and spoke in favour of taking enforcement action.

During consideration of the report Members expressed the view that any possible enforcement action should be balanced between acting promptly, whilst remaining reasonable in actions towards the site owners.

RESOLVED: That approval be given to the pursuing of Option Two as follows:-

(i) Await the expiration of 6 months in order to establish if the applicants are to appeal.

(ii) Deal with any subsequent appeal and await the outcome. Take enforcement action should appeal be dismissed.

(iii) Proceed with enforcement action if the 6 months expires without an appeal being lodged.

89. APPLICATION NO 2000/1164, KENNEDYS GARDEN CENTRE, BATH ROAD WARGRAVE

The Committee considered a report (Agenda pages 733 to 734) which advised Members of possible enforcement action options in respect of the above site.

Members were reminded that this application had been considered and refused at the meeting of 28th June 2000. Members had refused the application on the grounds of its unacceptable impact upon the openness and rural character of the Green Belt. This report considered options available for Members in respect of enforcement action.

6.00 KENNEDYS GARDEN CENTRE, BATH ROAD, WARGRAVE

Purpose of Report

6.01 To advise Members of the options in respect of possible enforcement action in respect of the above site.

Suggested Action

6.02 That Members consider whether it is expedient to take enforcement action and agree a suitable course of action in the light of the options set out below.

Background Information

6.03 Members will recall that planning application ref. 2000/1164 was considered at Development Control Committee on 28 June 2000. Members decided to refuse the application on the grounds of its unacceptable impact upon the openness and rural character of the Green Belt. This was contrary to the officers recommendation. For this reason it was agreed that a report should come back for consideration of possible ways forward in respect of enforcement. Three options are put forward and Members are invited to consider these options as set out below. In each case Officers consider that the applicant should be asked in writing of his future intentions.

6.04 1) Take no enforcement action.

2) Await the expiration of 6 months in order to establish if the applicants are to appeal. (a) Deal with any subsequent appeal and await the outcome. Take enforcement action should the appeal be dismissed. (b) Proceed with enforcement action if the 6 months expires without an appeal being lodged.

3) Take immediate action by serving an enforcement notice. Once served, the applicants have 28 days within which to comply or appeal. Compliance would involve reducing the height to that previously approved. If the latter course of action were taken, the planning and enforcement appeals would be dealt with concurrently. Await the outcome.

6.05 The first option is deemed to be unacceptable in light of the refusal and the partial retrospective nature of the application.
The second option would allow the planning issues to be determined prior to enforcement action being taken.
The third option would ensure that action is taken immediately and allow the issues to be dealt with together.

Officers are of the opinion that option 2 would be the most appropriate as this would give the applicant the opportunity to come froward with an alternative scheme or to voluntarily remedy the breach of control.

Equal Opportunities Implications

6.06 None.

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON WEDNESDAY 28 JUNE 2000 FROM 7.00 PM TO 10.10 PM

Present: Mrs.D C Beatty, Mr.M J Bryant, Mr S R Conway, Mrs.A N M C Drake, Mr T P Dredge, Mr J L Earnshaw, Mrs J A Lissaman, Mrs M A Long, Mr K A Malvern, Mrs M Robertson and Fiona Rolls.

Also present under Standing Order 39: Mr F D Browne, Mr G Cowan, Simon Etheridge, Mr C E Lawley, Mr A Miller, Mr N D Rose and Mrs E L M Siggery,

40. CHAIRMAN

RESOLVED: That Mr S.R.Conway be elected Chairman for the meeting.

41. ORDER OF BUSINESS

With the agreement of the Committee, the order of business was varied so that those applications where members of the public had indicated a wish to speak could be dealt with first.

42. MINUTES

The Minutes of the meeting of the Committee held on 7 June 2000 were confirmed as a correct record and signed by the Chairman.

43. APOLOGIES FOR ABSENCE

An apology for absence was submitted from Mr.A J Ross.

Mr F D Browne and Simon Etheridge, local Members, attended the meeting and spoke in opposition to the proposal.

In considering the application, Members expressed concern about the scale of the development now proposed, compared to that previously approved and in the circumstances it was

RESOLVED: 1) That Application No.2000/1164 be refused on the grounds that it represented inappropriate development in the Green Belt;

2) That a report be submitted to a future meeting on what further action might be appropriate.

46. APPLICATION NO 2000/1164 PROPOSED REDEVELOPMENT OF GARDEN CENTRE (AMENDMENT TO CONSENT 99/70375/F) KENNEDYS GARDEN CENTRE, BATH ROAD, WARGRAVE, FOR WYEVALE GARDEN CENTRE

The Committee considered a report about this application set out on Agenda pages 418 to 429.

In explaining the report, the Head of Planning and Transportation informed Members that, since the Agenda had been despatched, an addition letter of objection had been received.

Mrs.E.O'Brian, Wargrave Parish Council, attended the meeting and gave that authority's observations on the proposal.

Mr.McClur-Fisher attended the meeting and spoke in opposition to the proposal.

The proposed buildings, by reason of its increased height, mass and bulk would result in a visually obtrusive form of development, detrimental to the open character of the Green Belt. As such, it represents an inappropriate form of development in the Green Belt.

The proposal is contrary to policy 1 of the Green Belt Local Plan for Berkshire, Policy C4 of the Berkshire Structure Plan and Policy WGB1 of the Wokingham District Local Plan (Deposit Draft) as Modified.

Applicationo	Name & Address
F/2000/1164	R Lloyd Shingleberry Tag Lane Hare Hatch Twyford RG10 9ST
F/2000/1164	Mr M Gradon Hare Hatch & Kiln Green Residents Association Old Trees Hare Hatch Bath Road RG10 9SP

App refused
Letter sent 03/08/00

Received by Wokingham District Council

Application No: F/2000/1164

Proposal:
Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)

Location:
Wyevale Garden Centre, Bath Road, Hare Hatch, Reading.

The application is available for inspection at Wokingham District Council's offices during the following times:

PLANNING DEPARTMENT, SHUTE END, WOKINGHAM TEL (0118) 974 6428
8.30 - 5.00 Monday - Thursday & 8.30 - 4.00 Friday

WOODLEY LIBRARY HEADLEY ROAD WOODLEY (9.30am - 7.00pm Mon, Thurs & Fri. 9.30am - 5.00pm Tues, 9.30am - 1.00pm Saturday. closed all day Wednesday). If you intend to view this application at Woodley Library (see details above) please allow 4 days from the date of this letter for delivery of plans.

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Heather Morgan P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 12/05/2000. Written comments submitted will become available for public inspection.

In view of the very large number of planning applications and letters of comment received, it will not normally be possible for an individual reply to observations made. However any comments will be taken into account when the application is determined and you will be notified of the decision.

Head Planning and Transportation

Tel: (0118) 974 6446

Date:

My ref: F/2000/1164

CONFIDENTIAL

Councillor F Browne
Rose Cottage
Bird Place
Remenham
RG9 2LN

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Councillor

Application Number: F/2000/1164
Wyevale Garden Centre, Bath Road, Hare Hatch, Reading.
Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)

I write to let you know that the above mentioned application has been recommended for APPROVAL: ☐ REFUSAL: ☐ under delegated powers.

If you have any questions please do not hesitate to contact **Heather Morgan** on **(0118) 974 6446**. If you then feel the application needs to be transferred to the next available Development Control Sub-Committee for decision please fill in the form below.
This form must be received no later than _____

Yours faithfully

Head of Planning and Transportation

LISTING FORM
Case officer: **Heather Morgan** Application Number: **F/2000/1164**
Wyevale Garden Centre, Bath Road, Hare Hatch, Reading.
Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)

Transfer: Yes ☐ No ☐
Reason for Transfer:

_____

_____

Signed: _____ Date: _____

Councillor F Browne

NB. It would be helpful for speedy decision making if you could respond, even if you do not wish this application to be transferred.

Tel: (0118) 974 6446

Date:

My ref: F/2000/1164

CONFIDENTIAL

Councillor S Etheridge
7 Chackfield Drive
Wokingham
RG41 5PH

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Councillor

Application Number: F/2000/1164
Wyevale Garden Centre, Bath Road, Hare Hatch, Reading.
Proposed redevelopment of garden centre (Amendment to consent 99/70375/F).

I write to let you know that the above mentioned application has been recommended for APPROVAL: ☐ REFUSAL: ☐ under delegated powers.

If you have any questions please do not hesitate to contact **Heather Morgan** on **(0118) 974 6446**. If you then feel the application needs to be transferred to the next available Development Control Sub-Committee for decision please contact the Councillor for your area responsible for planning matters as soon as possible

Yours faithfully

Head of Planning and Transportation

Committee Item

WORK SHEET FOR : Heather Morgan

Application Number : F/2000/1164

Applicant : Kennedy Garden Centres Ltd .

Location : Wyevale Garden Centre, Bath Road, Hare Hatch, Reading.

Proposal : Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)

COMMITTEE

Site Notice Displayed ? : YES [ ] NO [ ] DATE [ ]

Date of Neighbour Notifications : .....

Date of Site Visit : .....

Date Registered : 04/04/2000

Earliest Date for Decision : 12/05/2000

Latest Consultation Date/Site Notice Expiry Date : 12/05/2000

Application Expiry Date: 30/05/2000

Consultation Responses :

(1) Wgrave PC – Buildings 2m higher than those approved plans. Adverse visual impact on the surrounding Green Belt. Looks like a warehouse. Overflow carpark is grass and not grass as approved → noise and disturbance. Development commenced before the access road was built. Landscaping details were not agreed before works started (Also the comments of Hare Hatch + Wider Green Residents Assoc^{n})

~~**Planning Issues:**~~

(2) Highways – Application only related to amendments to elevations. No increase in floor area is proposed, or access / servicing. No objections.

Application Number: F/2000/1164

Appraisal :

Recomendation : Approval: ☐ **Refusal:** ☐
(tick appropriate box)

Application Number F/2000/1164
Conditions/Reasons for Refusal

No	Std Con	Std Reas	Non Std Conditions / Reasons for Refusal

RECORD OF SITE VISIT

SITE ADDRESS: Wyevale Garden Centre Bath Road Hare Hatch Reading.

APPLICATION NUMBER: F/2000/1164

OFFICER: Heather Morgan

DATE OF SITE VISIT:.....

1 SITE/STATUTORY NOTICE DISPLAYED ?

2. DESCRIPTION OF SURROUNDINGS

3. DESCRIPTION OF SITE/BUILDING

4. RELATIONSHIP TO ADJOINING PROPERTIES

5. SITE CONSTRAINTS

TREES

ACCESS/PARKING

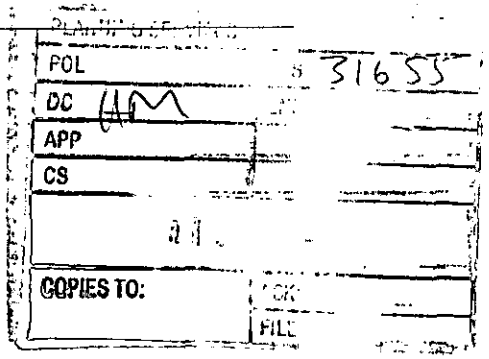
LEVELS

BOUNDARY TREATMENT

OTHERS

Malcolm Scott

CONSULTANTS LTD



C0053/HFS/FW

Director of Environmental Services
Wokingham District Council
PO Box 157
Shute End
Wokingham
RG40 1WR

For the attention of Heather Morgan

10 July 2000

Dear Sir

WYEVALE (FORMERLY KENNEDYS) GARDEN CENTRE, BATH ROAD, WALGRAVE : APPLICATION NO F/2000/1164

I write to inform you that I am instructed in Town Planning matters relating to the above site.

I would be grateful if you would ensure that all relevant correspondence is forwarded to ourselves.

Yours faithfully
for MALCOLM SCOTT CONSULTANTS LTD.,

Helen F Scott

HELEN SCOTT

cc Stephen Cooper, Wyevale Garden Centres plc

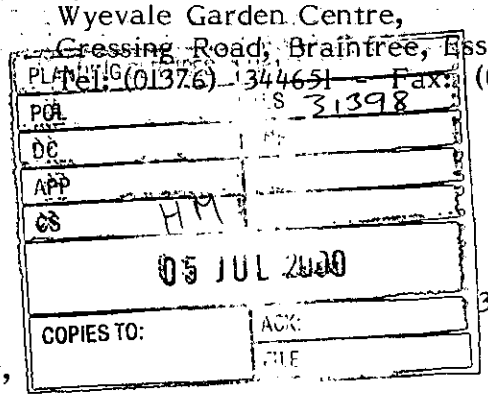
(1007morg)

REGISTERED OFFICE:
MALCOLM SCOTT CONSULTANTS LTD
GROVE HOUSE, 1 LOVES GROVE
WORCESTER WR1 3BU UK
TEL: (+44) 01905 726353
FAX: (+44) 01905 611221
e-mail ms.consultants@virgin.net
REGISTRATION NO: 1992131

ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE DESIGN
TOWN PLANNING

DIRECTORS: MALCOLM W G SCOTT DipTP MA MRTPI ALI *HELEN F SCOTT BH(Hons) Dip TP MRTPI* *CHRISTPHER PRIMETT BA (Hons) MTp MRTPI MIMC*

Please reply to: Wyevale Garden Centre,
Cressing Road, Braintree, Essex, CM7 8DL.
Tel: (01376) 344651 Fax: (01376) 344658



3rd July, 2000.

Miss Heather Morgan,
Senior Planning Officer,
Environmental Services Department,
Planning Services,
Wokingham District Council,
P.O. Box 157,
Shute End,
WOKINGHAM,
Berkshire,
RG40 1WR.

Dear Miss Morgan,

re: Wyevale Garden Centre, Bath Road, Hare Hatch

Please find enclosed a cheque for £1.50 being the fax charges due to Wokingham district council. The refusal notice in respect of the application is anticipated any day now and the company is considering its options.

Yours sincerely,

Stephen P. Cooper
Estates Manager

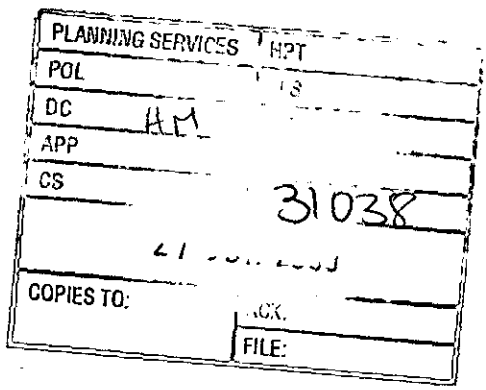
Heather Morgan

From: Pauline Davis
Sent: 26 June 2000 09:17
To: Heather Morgan
Subject: FW: re Planning Application F/2000/1164 - Attn Heather Morgan

Heather,
The attached comments were sent to the corporate e-mail address.

Pauline Davis
Information Manager
Wokingham District Council
e-mail: pauline.davis@wokingham.gov.uk
web: www.wokingham.gov.uk

-----Original Message-----
From: Richard Lloyd [SMTP:richard@harehatch.freeserve.co.uk]
Sent: Friday, June 23, 2000 10:42 PM
To: wokinghamdc@wokingham.gov.uk
Subject: re Planning Application F/2000/1164 - Attn Heather Morgan



Heather Morgan
Wokingham District Council
Shute End
Wokingham
RG40 1WR

23 June 2000

Dear Ms Morgan

Planning Application F/2000/1164: Wyevale Garden Centre, Hare Hatch

I was advised by your department of the revised landscape proposals for the above application, and attempted to view them at Woodley Library this morning. Unfortunately there has been a hiccup in the document distribution process, and the papers were not available there. I was however able to have the relevant text of the accompanying letter read to me over the phone.

As a result of various delays, I am using this method of sending you my reply by the requested date of 24/6/00, and will also send it by post.

No doubt the proposed "semi-mature trees" to be planted for the Bath Road frontage and the "large trees" for the Shelleys boundary will serve to disguise the excessive height and bulk of this building - but that is all. Disguise is inadequate and I remain of the firm opinion that Wyevale should be instructed to reduce the building to the originally approved height.

Having visited the Garden Centre as a customer I would observe that the major portion of the new premises are currently being used as a furniture showroom and cafeteria. Neither of these uses is central to the main purpose of the business of a Garden Centre, and should not be used to justify the excessive height and the over-development on a Green Belt site.

Yours faithfully

Richard V.S.Lloyd

Richard Lloyd
Shingleberry, Tag Lane
Hare Hatch, Twyford
Berks RG10 9ST
Tel: 0118 940 2157
richard.lloyd@wargrave.net

Malcolm Scott

CONSULTANTS LTD

JEM
hi
34928

COPIES TO:
ACK:
FILE:

C0053/HFS/FW

Chief Planning Officer
Wokingham District Council
PO Box 157
Shute End
WOKINGHAM
RG40 1WR

answered

3 October 2000

Dear Sir

WYEVALE GARDEN CENTRE, FLORAL MILE, HARE HATCH : REFUSAL OF PLANNING PERMISSION F/2000/1164

I refer to my letter to you of 18 September 2000.

I do now look forward to receipt of a reply at your earliest convenience.

Yours faithfully
for MALCOLM SCOTT CONSULTANTS LTD.,

Helen F Scott

HELEN SCOTT

cc: Mr S Cooper, Wyevale Garden Centres Plc
Counsel

(0310wdc)

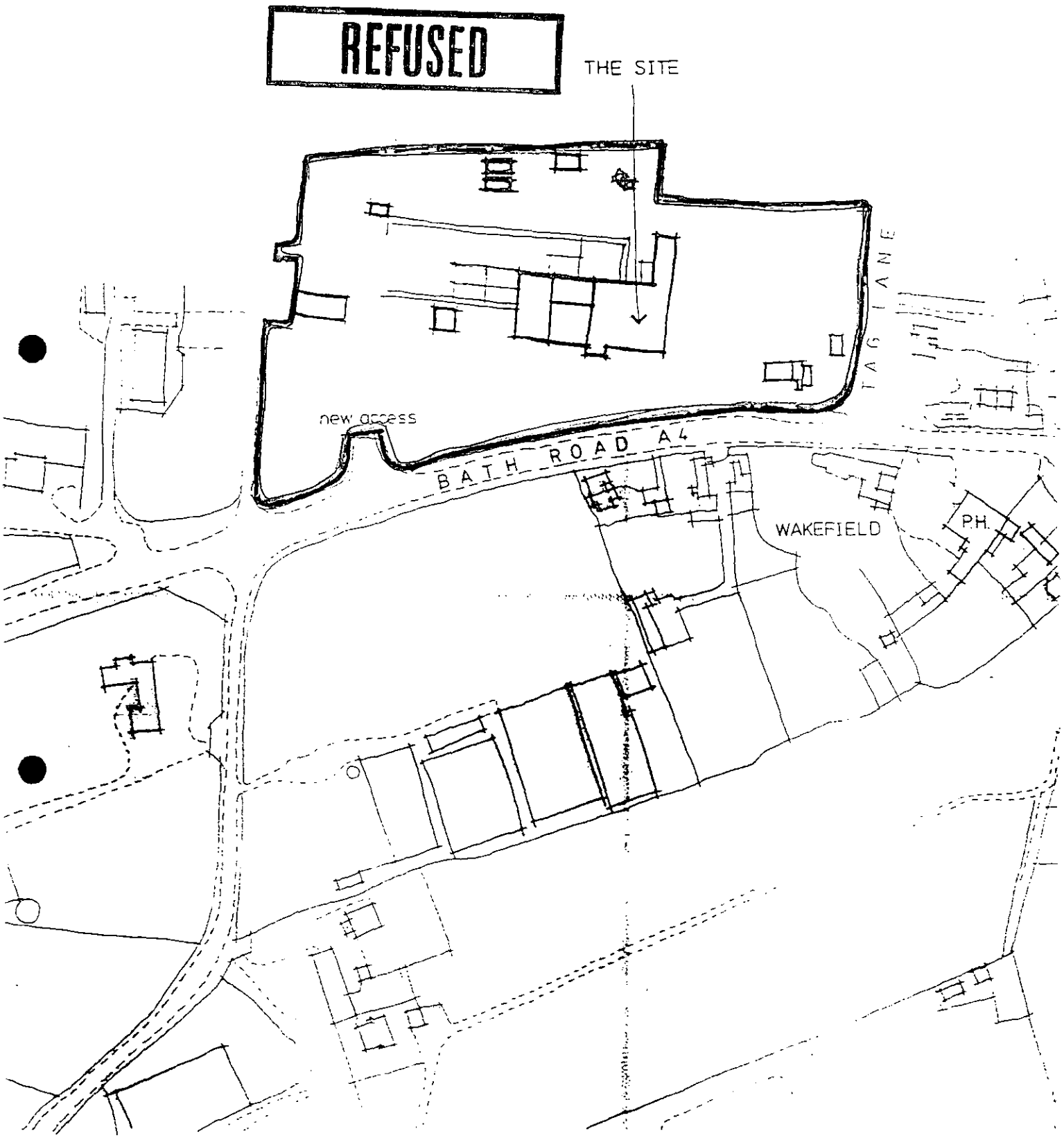
REGISTERED OFFICE:
MALCOLM SCOTT CONSULTANTS LTD
GROVE HOUSE, 1 LOVES GROVE
WORCESTER WR1 3BU UK
TEL: (+44) 01905 726353
FAX: (+44) 01905 611221
e-mail ms.consultants@virgin.net
REGISTRATION NO: 1992131

DIRECTORS: MALCOLM W G SCOTT DipTP MA MRTPI ALI
HELEN F SCOTT BH(Hons) Dip TP MRTPI
CHRISTOPHER PRIMETT BA (Hons) MTp MRTPI MIMC

ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE DESIGN
TOWN PLANNING

04.APR.2000 1164

REFUSED



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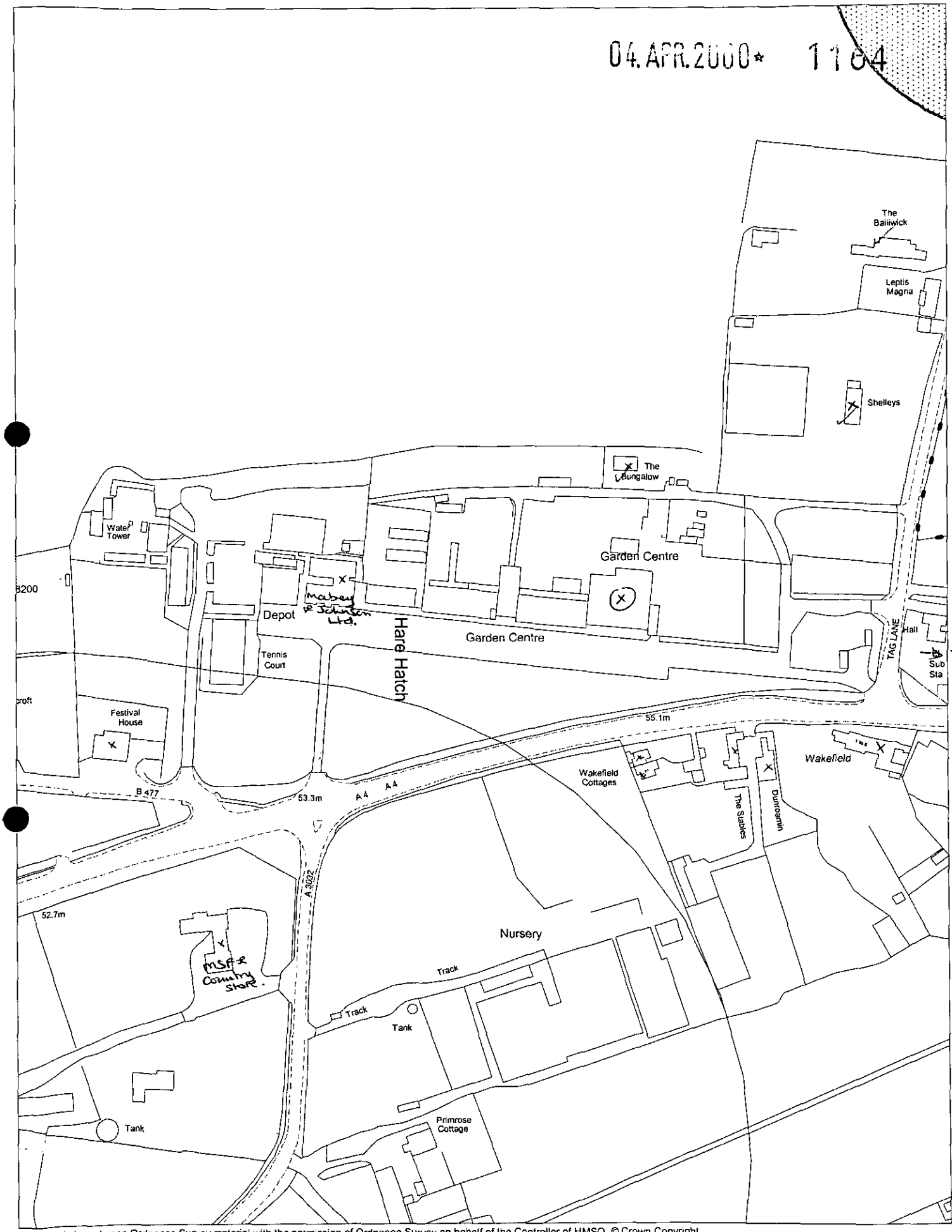

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Development Control Section, Environmental Services, Wokingham District Council.
10 April 2000 Scale: 1 : 2500

N
W E
S

Date: 14 June 2000

To: Case Officer

We have received Revised Plans for the following planning application:

Application Number: F/2000/1164

Location: Wyevale Garden Centre, Bath Road, Hare Hatch, Reading.

Proposal: Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)

Applicant: Kennedy Garden Centres Ltd.

Case Officer: Heather Morgan

The new plans show the following: Revised landscape proposals. Drawing no 2014/5/01 Rev A.

Comments are required by 24/06/2000.

Should you have any queries regarding this application please contact the case officer Heather Morgan on (0118) 974 6446.

Will do anything reasonable

(RING ONE)

REVISED PLANS | ADDITIONAL PLANS | MINOR AMENDMENTS | ADDITIONAL / REVISED PLANS TO COMPLY WITH CONDITIONS

App No. (Planaps) /F/ 2000/1164 (Ludhouse) Date Rec. 12/6/00

Location: Wyevale Garden Centre, Bath Road, Hare Hatch.

Parish Wargrave.

Applicant: Kennedy Garden Centres Ltd.

Description of attached plans Revised landscape proposals.

Drawing No's: 2014/5/01 Rev A.

CONSULTEES

Copies of plans will automatically be sent to Woodley Library, Part 1 Reg., Parish Council, Ward Councillors and the Case Officer unless specified.

Please tick which of the following you wish consulted.

OTHERS: Hare Hatch & Colin Green Residents Assoc.

		Drawing No's	
1.	NK (Landscape & Trees)		✓
2.	NK (Env. Design)		
3.	XA (Highways)		
4.	NF (Building Control)		
5.	BC/DC Liaison		

A full set of plans will be sent to all consultees unless particular drawing No's are specified in the spaces above.

NEIGHBOURS: Bears Corner, Hare Hatch. Shrubbery, Cheer 28/6/00 Tag Lane, [redacted]

Date for Responses 10 days.

FURTHER ACTION

Re-advertise App. Y / (N) (Delete as required)

Redate Application Y / (N) From _____

New Site Notice Y / (N)

New Description ~~_____~~

CASE OFFICER H.P.M.

Consultations Sent by Admin. on 4.06.00

Yellow - Part One Copy
Green - Officer's Copy

Wyevale
GARDEN CENTRES

Please reply to:

Wyevale Garden Centre,
Cressing Road, Braintree, Essex, CM7 8DL.
Tel: (01376) 344651 - Fax: (01376) 344658

Miss Heather Morgan,
Senior Planning Officer,
Environmental Services Department,
Planning Services,
Wokingham District Council,
P.O. Box 157,
Shute End,
WOKINGHAM,
Berkshire,
RG40 1WR.

9th June, 2000.

Rec'd
12/6/00

REVISED PLAN

1164 J

Dear Miss Morgan,

re: Wyevale Garden Centre, Bath Road, Hare Hatch

Please find enclosed the revised landscape plan as promised. You will immediately note we have included a large number of semi-mature trees along the Bath Road boundary. In addition, some large trees have been incorporated between the garden centre and our neighbours at Shelleys. This change is in line with their request as you will recall from previous correspondence that has been forwarded.

Hopefully, you will agree this will go a long way to softening the appearance of the garden centre, particularly from the Bath Road and neighbours' premises. In addition, another sample of glass is on its way to you and should be with you early next week.

Please do not hesitate to telephone should you have any questions or comments in respect of this proposal for the landscaping.

Yours sincerely,

Stephen P. Cooper
Estates Manager

P.S. The glass sample is no longer here as the has spoken on this and completed it by fax.

Tel. 0118 974 6446 (Direct Line)
E-mail: Heather.Morgan@wokingham.gov.uk
Date. 8 June, 2000
My ref. HPM/F/2000/1164
Your ref.

2702S

Theresa May MP,
Shadow Secretary of State for Education & Employment,
House of Commons,
London.
SW1A 0AA.

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham

Dear Mrs May,

PROPOSED REDEVELOPMENT OF GARDEN CENTRE (AMENDMENT TO CONSENT 99/70375/F)
WYEVALE GARDEN CENTRE, BATH ROAD, HARE HATCH

I refer to your letter dated 3 May 2000 addressed to Mr. C. Wood, including correspondence from Mr. Gradon expressing concerns in respect of the current application at the above site. I apologise for the delay in responding.

Impact on the Green Belt

Planning permission ref. 99/70375/F gave consent for one consolidated building, with a maximum ridge height of 4.7m. The scheme also squared off the building so that there was less frontage onto the A4 Bath Road. The current application ref. F/2000/1164 seeks retrospective consent for a building which has been partially erected, with a maximum ridge height of 6.4m for the three central gables and 5.8m on the outer two. The design therefore seeks to reduce the impact on the peripheries of the structure.

The purpose of policies within the Green Belt is to ensure that its open and rural character is not adversely affected, amongst other things. It is accepted that the increase in height will inevitably make the building appear more predominant. However, this needs to be assessed in the context of existing and proposed landscaping, and the distance of 30m from the Bath Road could be argued. However, the current application remains under consideration.

Materials

I note the comments made regarding the use of opaque materials on the elevations, which has an unfortunate effect of making the structure heavier. The Local Planning Authority have only approved the use of thermo clear sheet opal on the walls, and it would appear that at least some of the elevations as constructed are at variance with this. The applicants have been advised of the Local Planning Authoritys concerns in this respect and are looking into alternative materials which have greater transparency.

Progression of works

The Local Planning Authority appreciates the concerns that the works at the garden centre have progressed without complying with approved plans. The Local Planning Authority do not condone such works, but would point out that it is not illegal to commence works without consent and then to apply retrospectively. Anyone who does so, however, does so entirely at their own risk and in the knowledge that enforcement action be taken should the development be totally unacceptable. It is not considered that this development in itself would set a precedent as each case is considered on its merits. The erection of totally new structures without planning permission would be entirely different matter (as opposed to commencement of works which have, in the main, got permission).

Storage

The concerns in respect of the rubbish which is accumulating are noted and can advise you that the case officer will be contacting the applicant with a view to resolving this matter as part of the current application.

Roundabout

When the 1994 application was submitted for the redevelopment of the garden centre the Highway Department would have assessed the requirement for a roundabout, and whether the traffic implications were such to justify a contribution. It was not deemed necessary at that time. It is not considered that the change in levels of traffic generated by the current proposal would be any different and as such a roundabout or contribution could not be justified in planning terms.

The application is likely to be considered at the Development Control Sub Committee meeting on 28 June 2000. I trust the queries raised by your constituents have been addressed in full. Should Mr. Gradon wish to discuss the matter further he is advised to contact the case officer, Heather Morgan on (0118) 974 6446.

Yours sincerely,

JOHN MITCHELL

Development Control Manager

Tel. (0118) 974 6426 (Direct Line)
Fax. (0118) 974 6484
Email. Sandra.Bayden@wokingham.gov.uk
Date 5 May 2000
My ref. SB/F/2000/1164
Your ref.

29025

Theresa May MP
Shadow Secretary of State for Education & Employment
House of Commons
LONDON
SW1A 0AA

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Switchboard Tel: (0118) 974 6000
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham
http://www.wokingham.gov.uk

Dear Mrs May

WYEVALE GARDEN CENTRE, BATH ROAD, HARE HATCH

Thank you for your letter of 3 May addressed to Chris Wood, Head of Planning & Transportation concerning further correspondence from your constituent, Mr Gradon.

Mr Wood has now left this Authority and I have therefore passed your letter to John Mitchell, Development Control Manager for reply as the points raised fall within his service area.

Yours sincerely

SB

SANDRA BAYDEN
Management Support Assistant

THERESA MAY MP
Shadow Secretary of State
for Education & Employment

HOUSE OF COMMONS
LONDON SW1A 0AA

PLANNING SERVICES | DPT
POL | TLS
DC JRM | CNr
APP |
CS | 29025
05 MAY 20
COPIES TO: | ACK 5/5/00
F/2000/1164
REPLY REQUIRED
19/5

Mr Chris Wood
Head of Planning and Transportation
P O Box 157
Council Offices
Shute End, Wokingham
Berkshire RG40 1WR

3rd May, 2000

Dear Mr Wood,

Re: Wyevale Garden Centre, Bath Road, Hare Hatch

I have received further correspondence (a copy of which I attach) from my constituent, Mr Martin T M Gradon of Hare Hatch and Kiln Green Residents Association, C/o Old Trees, Bath Road, Hare Hatch, Reading, Berkshire, RG10 9SP, regarding Wyevale Garden Centre.

I am concerned that it is taking some time to progress this matter. I do believe that enforcement of planning conditions is very important if people are to have confidence in the planning system.

Yours sincerely,

MRS THERESA MAY, MP
Shadow Secretary of State for Education and Employment

Tel: 0207 219 5206 *Fax: 0207 219 1145*
E-mail: mayt@parliament.uk

Hare Hatch and Kiln Green Residents Association
c/o Old Trees, Bath Road, Hare Hatch, Reading, Berkshire RGIO 9SP.

I May 2000.

Dear Theresa,

Re: Wyevale Garden Centre, Bath Road, Hare Hatch.

Further to an exchange of correspondence in the above matter, I am enclosing a copy of our most recent letter to Mr Chris Wood at Wokingham.

No doubt you will gather that we are all feeling a bit fed up at the way in which this entire application is being progressed.

I know that Planning and the Environment are not your responsibility but I would be most grateful if could convey our general concern to your apropriate colleagae.

With very many thanks for your support,

Yours sincerely,

Martin T.M.Gradon.

Hare Hatch & Kiln Green Residents Association
c/o Old Trees, Hare Hatch, Bath Road, Reading, Berkshire RG IO 9SP.

Your ref: F/2000/II64. I May 2000.

Mr C.Wood,
Head of Planning and Transportation,
Wokingham District Council,
Shute End,
Wokingham,
Berkshire RG40 IWR.

Dear Mr Wood,
Re: Wyevale Garden Centre, Bath Road, Hare Hatch.
Application No F/2000/II64(Amendment to consent 99/70375/F).

I refer to previous correspondence with respect to the above site. The submission of this revised application after the development has taken place should in our opinion not be allowed. It strikes us as a serious breach of the entire planning procedure and makes a mockery of the whole process. Retrospective submissions however seem to be the rule on quite a number of developments in this area. It is abundantly clear to us that the applicantsknow that it is extremly unlikely that it will be refused or an enforcement order issued to take the building down.

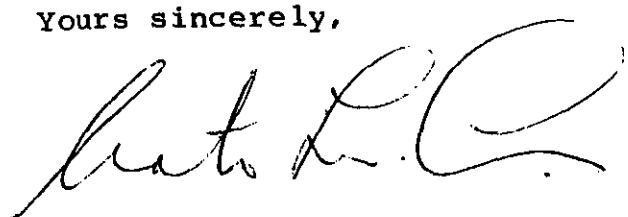
In considering the front south elevation which is clearly higher than the previously approved scheme and blatantly ignores the applicants own letter which stated that the new building would not be as high as the existing one, albeit that it had outserved its use and would be taken down. The previously approved elevation gives the impression that the frontage would be fully glazed above a solid upstand now seen as brick, whereas the right hand element employs an opaque material which returns on the side east elevation. This in our opinion is most unfortunate as it takes away the lightness in appearance and looks more industrial/ business park.

Whilst we appreciate that storage must be accommodated, it would have been preferable to locate it in the rear part of the building where it would have been nearer to the service yard. An opaque treatment here would have had less visual impact and would have provided an appropriate backgroond to the great variety of items on display in the area leading to the northern boundary of the site.

Finally, we feel that in the overall development of this site the opportunity to create a much needed roundabout has been lost. The quing witnessed today on the A4 in both directions illustrates the seriousness of the situation. At the time of the first planning application by Kennedy's early in I994- application 39452, the Residents Association wrote to the Wokingham District Council pointing out the desirability of constructing such a roundabout which would take into account London Road, Mamberry Hill, the A4 and the proposed entrance/exit to Kennedy's which incidently, was more or less in same position as it is today. We were aware that considerable cost would be involved in the re-routing of services to facilitate this and that it would be reasonable for Kennedy's to make a substantial contribution towards this. Some short time later we were most interested to read in Wokingham Disrict Council's Newspaper that a roundabout was scheduled at this junction.....

We trust that the points we have made will be considered before a decision is reached in this matter.

Yours sincerely,



Martin T.M.Gradon.
Chairman.

Application No. F/2000/1164 | **Received** 4/4/00 | **Wargrave**

Location : Kennedys Garden Centre, Bath Road, Wargrave
Proposal : Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)

1. **Planning History** - The site is a long established garden centre including farm shop, pet food shop and swimming pool sales area. Substantial extensions were refused in 1990 (Ref. 34830) due to conflict with Green Belt policy and highway concerns. A later application in 1992 (39452) gained a resolution for approval subject to a legal agreement to achieve highway improvements. This agreement was never signed. In July 1997 the Environmental Services Committee resolved that application 39452 be withdrawn, or if the legal agreement was not completed within 8 weeks of that committee the application be refused. The application was subsequently withdrawn. A further application was received in March 1997 for the proposed erection of two glass houses, extension to existing car park and alterations to access (Ref. 97/65329/F). This was deemed acceptable because the consolidation of scattered small buildings improved visual amenity and there were highway benefits in terms of the new access and the closure of the Tag Lane access/egress points. This application was approved, subject to a legal agreement by the Development Control Sub Committee on 6 August 1997 and the permission issued on 2 July 1999. A subsequent application was submitted (99/70375/F) which sought to provide a consolidating extension by removing the parabolic roofed building and 'squaring off' the green house structure. This application was considered at Development Control Sub-Committee on 24th November 1999 and a permission was issued on 2 February 2000 subsequent to the signing of a S106 agreement. The works in the agreement related to the closure of the Tag Lane entrance and the construction of a new access off the Bath Road. These works have been completed. A revised S 106 is deemed necessary in order to ensure the closure of Tag Lane continues to be enforced.

2. **Proposal** – seeks partial retrospective approval for a garden centre. This application is identical to the scheme approved under 99/70375/F with the exception of height. As approved, the ridge height of the glasshouse was 4.7m. As currently under construction, the 3 central ridges would be 6.4m and the 2 outer ridges 5.8m. The revised access arrangements approved under 99/70375/F have been implemented in full.

3. **Consultations** -
   - ***Hare Hatch and Kiln Green Residents Association*** – (1) The buildings are 2m higher than approved which has an adverse impact on the surrounding Green Belt. The development now looks more like a warehouse than a light weight glasshouse. The higher structure shows a disregard for the planning process. (2) the overflow carpark is gravel and not grass as approved. (3) the development commenced before the access road was built. (4) details of landscaping have not been agreed.

which is to be supplemented by additional planting. The applicants have provided a full landscape scheme as part of the current application and have indicated that substantial planting will be provided. Whilst the garden centre structure will undoubtedly be higher than approved, the building itself comprises 5 gable fronted elements. The increase in height is therefore less than if the structure had had one ridge line running east/west. The design is also such that the two end gables have a lower ridge line which aims to reduce the visual impact of the peripheries of the garden centre.

The structure will undoubtedly have a greater visual prominence in relation to the surrounding Green Belt. However, an assessment has to be made on whether or not the impact is sufficient to warrant a refusal on Green Belt grounds. It is considered that the gable ends, substantial landscaping and distance from the Bath Road are such that the proposal would not be detrimental to the open/rural character and nature of the Green Belt.

B. Impact on the streetscene

The garden centre approved under 99/70375/F was a glazed structure which sought to lessen the visual impact of the building. As under construction, certain sections of the centre have been built of opaque materials which have a more industrial appearance. This was deemed to be unacceptable by the Local Planning Authority in terms of the impact which this material produces visually. The applicants have been advised of this and have agreed to replace these materials with glazing to match the remainder of the garden centre. These will be supplemented by blinds or screens where necessary, in order to shield the restaurant, toilet and storage facilities. The applicants are endeavouring to do so prior to consideration of the proposal at this committee. Should this prove impossible, they are amenable to the imposition of a condition to ensure the works are carried out and completed within a specified time period.

On the basis of the materials now agreed, it is considered that the building under construction would have no greater visual impact than previously approved in terms of its transparency. It is not considered that the proposal would have a detrimental impact on the visual amenity of the streetscene.

C. Concerns of residents, Parish Council and Residents Association.

The concerns of nearby residents, the Parish Council and the Residents Association are noted. Issues regarding the height, mass and use of materials for the garden centre have been dealt with in the preceding section of this report. The issue of this impact upon the Green Belt has also been addressed. The car parking as approved has now been laid out in accordance with approved plans. The overflow area adjacent to 'Shingleberry' had originally been laid on gravel, not grass as approved. Subsequent to correspondence from Enforcement staff, this area has been laid to grass, although this may take some time to establish due to when it was planted. Concerns have also been raised that the opportunity for a new roundabout at the junction of the A4 Bath Road/B3032 London Road. This issue was dealt with in previous consents, when the Highways Section considered the redevelopment and consolidation of the garden centre at that

3. Construction works of any sort shall only take place within the area covered by the application between the hours of 07:00 and 19:00 Monday to Fridays and 07:00 and 13:30 Saturdays and no construction work shall take place on Sundays or Bank holidays.

4. Provision shall be made to accommodate all site operatives' visitors' and construction vehicles loading, off-loading, parking and turning within the site during the construction period in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

5. Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on the adjacent public highways in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

6. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (eg. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant].

7. Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation and maintenance programme].

8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

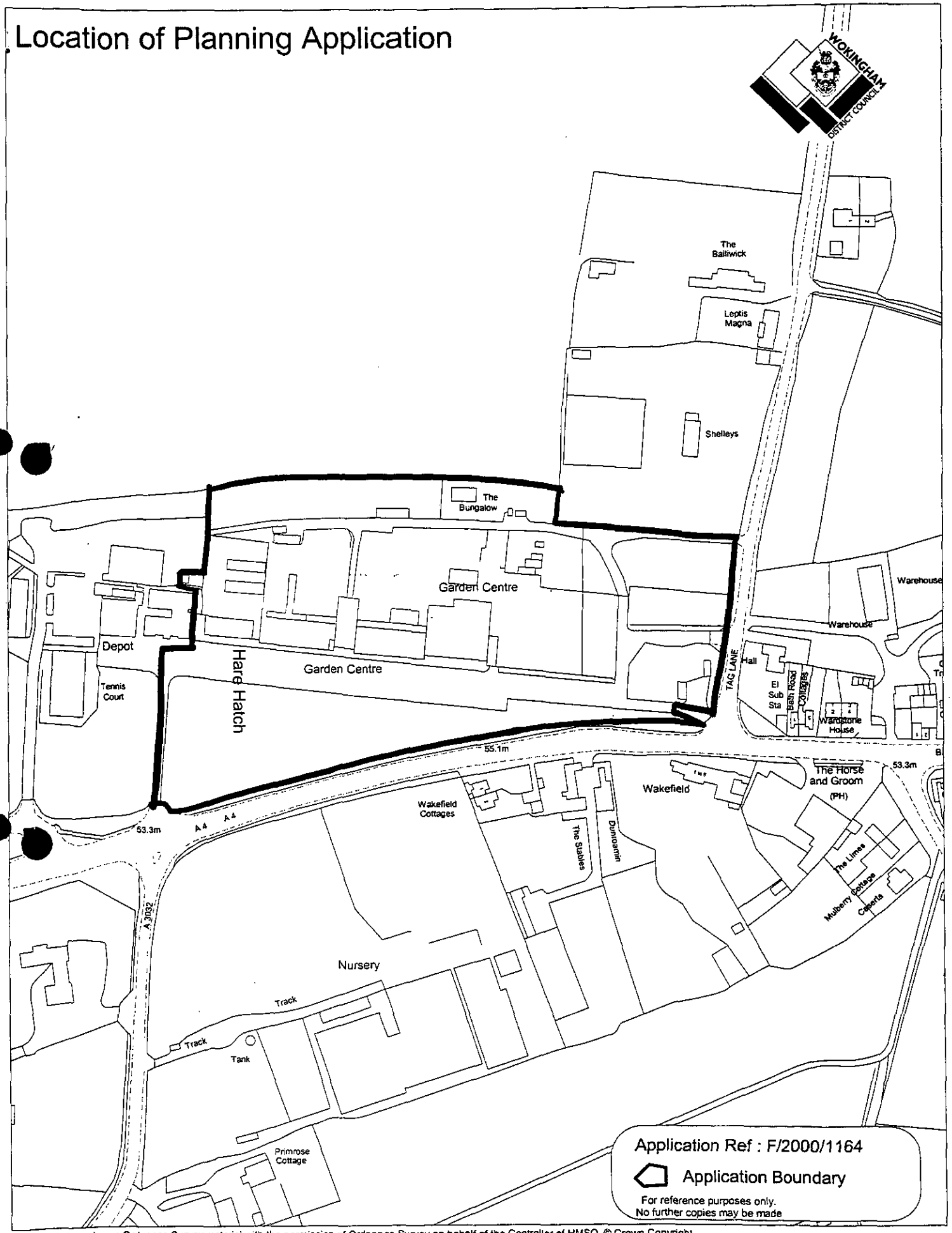
9. Details of the site lorry parking and loading areas approved by the Local Planning Authority under 99/70375/F shall be fully implemented and completed prior to the first occupation of the redevelopment shall be retained for parking and unloading at all times thereafter.

10. The redundant buildings to be demolished under this appeal proposal shall be removed from site before any new construction is undertaken.

Reasons

1. In pursuance of Section 91(1) of the Town and Country Planning Act 1990.

Location of Planning Application



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Development Control Section, Environmental Services, Wokingham District Council.

28 June 2000

Scale: 1 : 2500

N W E S

Wyevale
GARDEN CENTRES

Please reply to:

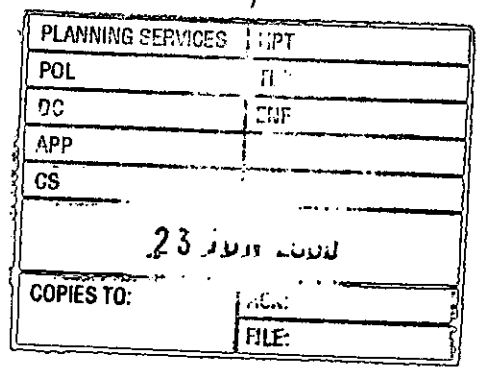
Wyevale Garden Centre,
Cressing Road, Braintree, Essex, CM7 8DL.
Tel: (01376) 344651 - Fax: (01376) 344658

Your ref: HPM/F/2000/1164

Miss Heather Morgan,
Senior Planning Officer,
Environmental Services Department,
Planning Services,
Wokingham District Council,
P.O. Box 157,
Shute End,
WOKINGHAM,
Berkshire,
RG40 1WR.

30954

21st June, 2000.



Dear Miss Morgan,

Proposed Redevelopment at Garden Centre
(Amendment to Consent 99/70375/F)
Wyevale Garden Centre, Bath Road, Hare Hatch

Just a quick note to confirm that the glazing works have now started on site. The likely time-table is a little imprecise at this stage but the job will be substantially complete prior to the planning meeting of next week should anyone wish to view the change.

Yours sincerely,

Stephen P. Cooper
Estates Manager

Application No.	Received	Wargrave
F/2000/1164	4/4/00	

Location : Kennedys Garden Centre, Bath Road, Wargrave
Proposal : Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)

1. **Planning History** - The site is a long established garden centre including farm shop, pet food shop and swimming pool sales area. Substantial extensions were refused in 1990 (Ref. 34830) due to conflict with Green Belt policy and highway concerns. A later application in 1992 (39452) gained a resolution for approval subject to a legal agreement to achieve highway improvements. This agreement was never signed. In July 1997 the Environmental Services Committee resolved that application 39452 be withdrawn, or if the legal agreement was not completed within 8 weeks of that committee the application be refused. The application was subsequently withdrawn. A further application was received in March 1997 for the proposed erection of two glass houses, extension to existing car park and alterations to access (Ref. 97/65329/F). This was deemed acceptable because the consolidation of scattered small buildings improved visual amenity and there were highway benefits in terms of the new access and the closure of the Tag Lane access/egress points. This application was approved, subject to a legal agreement by the Development Control Sub Committee on 6 August 1997 and the permission issued on 2 July 1999. A subsequent application was submitted (99/70375/F) which sought to provide a consolidating extension by removing the parabolic roofed building and 'squaring off' the green house structure. This application was considered at Development Control Sub-Committee on 24th November 1999 and a permission was issued on 2 February 2000 subsequent to the signing of a S106 agreement. The works in the agreement related to the closure of the Tag Lane entrance and the construction of a new access off the Bath Road. These works have been completed. A revised S 106 is deemed necessary in order to ensure the closure of Tag Lane continues to be enforced.

2. **Proposal** – seeks partial retrospective approval for a garden centre. This application is identical to the scheme approved under 99/70375/F with the exception of height. As approved, the ridge height of the glasshouse was 4.7m. As currently under construction, the 3 central ridges would be 6.4m and the 2 outer ridges 5.8m. The revised access arrangements approved under 99/70375/F have been implemented in full.

3. **Consultations** -
   - ***Hare Hatch and Kiln Green Residents Association*** – (1) The buildings are 2m higher than approved which has an adverse impact on the surrounding Green Belt. The development now looks more like a warehouse than a light weight glasshouse. The higher structure shows a disregard for the planning process. (2) the overflow carpark is gravel and not grass as approved. (3) the development commenced before the access road was built. (4) details of landscaping have not been agreed.

- ***Highways*** – No objections on the basis there is no increase in floor area or changes to the access/servicing.
- ***Trees and landscape*** – Site is located within the Green Belt and adjacent to a Green Route enhancement zone. The proposed replacement is larger and extends towards the narrower part of the site. The visual impact of the building and the increased car parking will be higher and therefore a comprehensive landscaping scheme should be submitted.
- ***Wargrave Parish Council*** – Object to the height and mass of the structure in the Green Belt. The Parish Council would like to question the type of materials used. Would request that the original consent is enforced. Query whether the car parking has been constructed as per the approved plans.
- ***Consultation letters*** – 3 letters prior to submission of applications, 3 letters of objection as a result of the consultation process (1) higher structure is more obtrusive and detrimental to the Green Belt (2) concerned at retrospective nature of the application (3) opaque glass provides a more industrial appearance (4) opportunity to create a roundabout has been lost.

4. **Appraisal** – The main issues are:

   A. Impact upon the Metropolitan Green Belt (Berkshire Structure Plan Policy C4, Green Belt Local Plan for Berkshire Policy 1 and 21, Wokingham District Local Plan (Deposit Draft) as modified Policies WOS2, WGB1).

   B. Impact upon the streetscene (Berkshire Structure Plan Policy EN1; Wokingham District Local Plan (Deposit Draft) as modified Policies WOS3, WBE1).

   C. Concerns of residents, Wargrave Parish Council and Hare Hatch and Kiln Green Residents Association.

A. Impact on the Green Belt

The principle of redevelopment of the garden centres has been established by previous permissions, most notably 99/70375/F. The current proposal seeks permission for an increase in the height of the garden centre, which is partially under construction.
As approved (gables) – 4.7m
As proposed (central gables) – 6.4m (1.7m difference).
As proposed (end gables) – 5.8m (1.1m difference).
The pertinent issue therefore is the visual impact of the revised garden centre on the open/rural character of the Green Belt. All the previous proposals for redevelopment resulted in a structure lesser in height than existing. On this basis, such schemes were deemed to be a material improvement over the existing situation. The current proposal would result in a structure greater in height and therefore a careful assessment has to be made of the additional impact of the height on the adjoining Green Belt.

The garden centre is located some 30m from the road frontage, Bath Road. The front of the garden centre lies a substantial depth of soft landscaping

which is to be supplemented by additional planting. The applicants have provided a full landscape scheme as part of the current application and have indicated that substantial planting will be provided. Whilst the garden centre structure will undoubtedly be higher than approved, the building itself comprises 5 gable fronted elements. The increase in height is therefore less than if the structure had had one ridge line running east/west. The design is also such that the two end gables have a lower ridge line which aims to reduce the visual impact of the peripheries of the garden centre. .

The structure will undoubtedly have a greater visual prominence in relation to the surrounding Green Belt. However, an assessment has to be made on whether or not the impact is sufficient to warrant a refusal on Green Belt grounds. It is considered that the gable ends, substantial landscaping and distance from the Bath Road are such that the proposal would not be detrimental to the open/rural character and nature of the Green Belt.

B. Impact on the streetscene

The garden centre approved under 99/70375/F was a glazed structure which sought to lessen the visual impact of the building. As under construction, certain sections of the centre have been built of opaque materials which have a more industrial appearance. This was deemed to be unacceptable by the Local Planning Authority in terms of the impact which this material produces visually. The applicants have been advised of this and have agreed to replace these materials with glazing to match the remainder of the garden centre. These will be supplemented by blinds or screens where necessary, in order to shield the restaurant, toilet and storage facilities. The applicants are endeavouring to do so prior to consideration of the proposal at this committee. Should this prove impossible, they are amenable to the imposition of a condition to ensure the works are carried out and completed within a specified time period.

On the basis of the materials now agreed, it is considered that the building under construction would have no greater visual impact than previously approved in terms of its transparency. It is not considered that the proposal would have a detrimental impact on the visual amenity of the streetscene.

C. Concerns of residents, Parish Council and Residents Association.

The concerns of nearby residents, the Parish Council and the Residents Association are noted. Issues regarding the height, mass and use of materials for the garden centre have been dealt with in the preceding section of this report. The issue of this impact upon the Green Belt has also been addressed. The car parking as approved has now been laid out in accordance with approved plans. The overflow area adjacent to 'Shingleberry' had originally been laid on gravel, not grass as approved. Subsequent to correspondence from Enforcement staff, this area has been laid to grass, although this may take some time to establish due to when it was planted. Concerns have also been raised that the opportunity for a new roundabout at the junction of the A4 Bath Road/B3032 London Road. This issue was dealt with in previous consents, when the Highways Section considered the redevelopment and consolidation of the garden centre at that

time. It was not considered necessary or appropriate to request monies for the provision of a roundabout in this location. Whilst there has been some increase in vehicular traffic since this time, this is not directly attributable to the garden centre. It is not considered feasible to request contribution towards a roundabout under the guidelines set down in Circular 1/97 on Planning Obligations.

The Residents Association have raised various concerns regarding the timing of works on site. It is correct that the S106 agreement required the construction of the new Bath Road access and the closure of Tag Lane prior to development commencing. However, an assessment has to be made by the Local Planning Authority as to whether it would be expedient to take enforcement action against such works when permission has been granted for the development. The view was taken that so long as the access works were complete prior to the opening of the garden centre in its entirely, that it was not expedite to take any action. Similarly, it was deemed inappropriate to take enforcement action regarding soft landscaping. Whilst the condition refers to submission of details prior to commencement of development, planting can only take place in the appropriate season. Details of soft landscaping have now been submitted and are currently being considered by the Local Planning Authority. As part of the current application, the applicants have provided full landscape details in order to ensure the level of planting and species is appropriate. Several letters have made reference to other development in the Green Belt. Staff advise that each case has to be considered on its own merits.

5. **Conclusion** – This is clearly a finely balanced issue requiring members' judgement. The proposal is greater in height than previously approved and existing structure. It is considered that the distance from Bath Road, the level of soft landscaping and the fact that the height is distributed across the five gables are such that the proposal would not appear detrimental to the visual and open/rural character of the Green Belt. The additional height, on balance, is not considered sufficiently detrimental to be able to substantiate a refusal on Green Belt grounds. Additional landscaping and the change in materials will ensure that the proposal will not appear overdominant in the streetscene. Members may consider that notwithstanding these matters, the development will be detrimental to the open appearance of the Green Belt. Nevertheless, taking all these factors into consideration and in the context of the development already on site, it is recommended that planning permission be granted.

6. **Recommendation** – GRANT planning permission, subject to a variation of the existing S.106 legal agreement and the following conditions:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

2. The materials and glazing utilised in the completion of the garden centre shall be as currently used, and shall not vary in any respect without the written permission of the Local Planning Authority.

3. Construction works of any sort shall only take place within the area covered by the application between the hours of 07:00 and 19:00 Monday to Fridays and 07:00 and 13:30 Saturdays and no construction work shall take place on Sundays or Bank holidays.

4. Provision shall be made to accommodate all site operatives' visitors' and construction vehicles loading, off-loading, parking and turning within the site during the construction period in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

5. Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on the adjacent public highways in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

6. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (eg. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant].

7. Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation and maintenance programme].

8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

9. Details of the site lorry parking and loading areas approved by the Local Planning Authority under 99/70375/F shall be fully implemented and completed prior to the first occupation of the redevelopment shall be retained for parking and unloading at all times thereafter.

10. The redundant buildings to be demolished under this appeal proposal shall be removed from site before any new construction is undertaken.

Reasons

1. In pursuance of Section 91(1) of the Town and Country Planning Act 1990.

2.10. In the interests of visual amenity.
3. In the interests of residential amenity.
4.8. In the interests of highway safety and convenience.
5.6.7. In the interests of the character and amenities of the locality.
9. To ensure that the development is at all times provided with adequate commercial vehicle parking space to prevent the need for roadside parking, loading and unloading in the interests of highway safety.

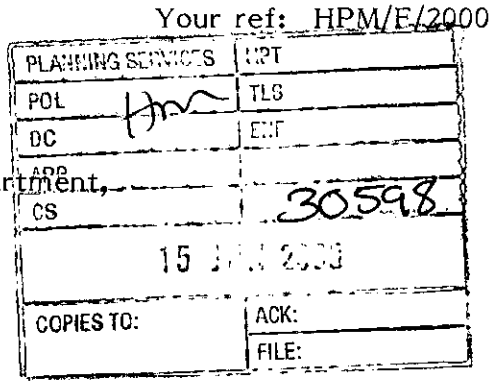
Heather Morgan

Wyevale
GARDEN CENTRES

Please reply to:

Wyevale Garden Centre,
Cressing Road, Braintree, Essex, CM7 8DL.
Tel: (01376) 344651 - Fax: (01376) 344658

Your ref: HPM/E/2000/1164



Miss Heather Morgan,
Senior Planning Officer,
Environmental Services Department,
Planning Services,
Wokingham District Council,
P.O. Box 157,
Shute End,
WOKINGHAM,
Berkshire,
RG40 1WR.

14th June, 2000.

Dear Miss Morgan,

Proposed Redevelopment at Garden Centre
(Amendment to Consent 99/70375/F)
Wyevale Garden Centre, Bath Road, Hare Hatch

Further to my letter of 9th June 2000, I can now confirm that the glass has been ordered as detailed in my previous letter.

You will recall, it was our intention to supply glass to match that at the front of the shop, returning round the long side. Blinds will then be fitted behind the glass. This will be very similar to the situation at our Swindon garden centre which was recently visited and photographs taken, three of which are enclosed.

The photographs are taken first from the inside looking out. You will note the screens prevent glare and disguise the view. This helps staff and maintains stock in the best condition. The second photograph is taken from very nearby, outside looking in. At this point the blinds are visible in an inconspicuous way. The third photograph shows the building viewed from a distance. The blinds in this photograph are barely visible and would probably not be noticed at all by a passer-by.

As indicated previously, it is our intention to have the alterations made prior to the meeting. Work should be starting on site soon and I will let you know if any problems relating to the time-table occur.

Hopefully these photographs will be of assistance. Please let me know if you have any questions regarding them.

Yours sincerely,

Stephen P. Cooper
Estates Manager

Wyevale
GARDEN CENTRES

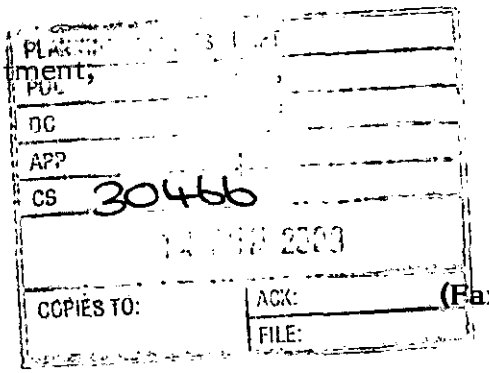
Please reply to:

Wyevale Garden Centre,
Cressing Road, Braintree, Essex, CM7 8DL.
Tel: (01376) 344651 - Fax: (01376) 344658

Your ref: HPM/F/2000/1164

9th June, 2000.

Miss Heather Morgan,
Senior Planning Officer,
Environmental Services Department,
Planning Services,
Wokingham District Council,
P.O. Box 157,
Shute End,
WOKINGHAM,
Berkshire,
RG40 1WR.



BY FAX & POST
(Fax No: 0118 974 6484)

Dear Miss Morgan,

Proposed Redevelopment of Garden Centre
(Amendment to Consent *99/70375/F*)
Wyevale Garden Centre, Bath Road, Hare Hatch

Further to our recent correspondence, the purpose of writing is to confirm our proposals for amending the new building at the above-mentioned garden centre in line with your letter dated the 22nd May 2000.

Your aforementioned letter expressed concern over the use of polycarbonate sheet on the long (eastern) side of the building and requested this be changed to a more transparent material. An order has been placed for the removal of this polycarbonate and its replacement with glazing to match the front of the building. This will return round and join on to the glazing on the front (southern) side. All glazing will be slightly tinted to match that already in use and behind the glazing screens will be used where necessary, such as in the toilets and store room.

Measuring up will take place next Monday and it is hoped works will start on site during the latter part of the week commencing 19th June 2000. If all goes to plan, works should be at least nearing completion by the time of the committee meeting on the 28th June 2000.

Urgent orders et cetera have been placed in order to meet the time-frame set. Should you have any questions regarding the above or, indeed, reservations, it would be very much appreciated if you could telephone immediately as there is obviously a substantial investment involved.

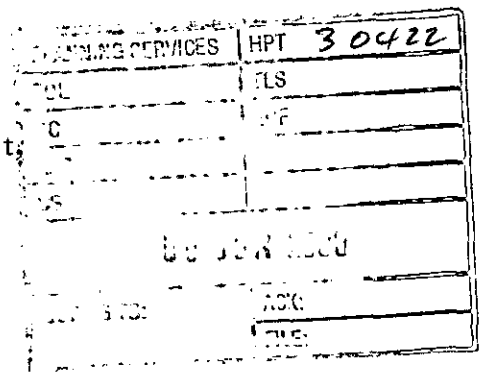
continued/...

Wyevale
GARDEN CENTRES

Please reply to:

Wyevale Garden Centre,
Cressing Road, Braintree, Essex, CM7 8DL.
Tel: (01376) 344651 - Fax: (01376) 344658

Miss Heather Morgan,
~~Senior Planning Officer~~,
Environmental Services Department,
Planning Services,
Wokingham District Council,
P.O. Box 157,
Shute End,
WOKINGHAM,
Berkshire,
RG40 1WR.



8th June, 2000.

12/6/00

Dear Miss Morgan,

Wyevale Garden Centre, Bath Road, Hare Hatch

As you are aware from previous correspondence, we have been in touch with both our neighbours regarding, amongst other things, landscaping. Mabey Holdings Limited have indicated an interest in acquiring their drive and the immediate landscaping for a nominal sum. This company has no objection as we no longer need the driveway and are keen to avoid maintaining it.

The neighbour's proposal involves the sale of the driveway and ten metres of landscaping along the garden centre side of the driveway. This includes the small belt of trees. Wyevale Garden Centres is happy to make this sale subject to a covenant that the landscaping be maintained but is aware this area is involved in the landscape requirement on its planning permission. It would be appreciated if you could clarify whether or not the planning department has any concerns in this respect.

I look forward to hearing from you.

Yours sincerely,

Stephen P. Cooper
Estates Manager



HPT 30092
TLS
JAM
ACK.
FILE

Please reply to: Wyevale Garden Centre,
Cressing Road, Braintree, Essex, CM7 8DL.
Tel: (01376) 344651 - Fax: (01376) 344658

Your ref: HPM/F/2000/1164

Miss Heather Morgan,
Senior Planning Officer,
Environmental Services Department,
Planning Services,
P.O. Box 157,
Shute End,
WOKINGHAM,
Berkshire,
RG40 1WR.

30th May, 2000.

Dear Miss Morgan,

Proposed Redevelopment of Garden Centre
(Amendment to Consent 99/70375/F)
Wyevale Garden Centre, Bath Road, Hare Hatch

Thank you for your letter of 22nd May 2000, the content of which is noted and, indeed, which we have discussed over the telephone. The purpose of writing is simply to confirm the action being taken.

The installation of glass along the long side of the garden centre can be undertaken and is at present being priced. Behind this wall, however, are shop fittings, stores and toilets, none of which would be particularly attractive when viewed from outside. We would therefore propose to fit glass with a backing, probably green. A sample of this is being sent to you by courier for consideration. I should be grateful for your thoughts on this as early as possible in order that we can endeavour to have works at least well advanced before the 28th June 2000.

Turning now to the landscaping. Here again, immediate action has been taken following receipt of your letter. Larger scale plans (1:200) have been sought and it is proposed to submit more detail over the next two weeks. The plans will detail this company's proposal to use large specimen trees in order to soften and enhance the appearance of the garden centre building.

Thank you for highlighting these concerns. I shall be in touch again in the near future with regard to our proposals.

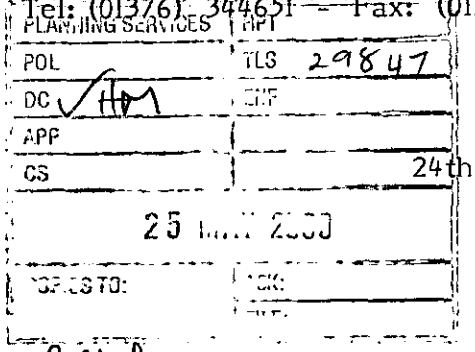
Yours sincerely,

Stephen P. Cooper
Estates Manager

Wyevale
GARDEN CENTRES

Please reply to:

Wyevale Garden Centre,
Cressing Road, Braintree, Essex, CM7 8DL.
Tel: (01376) 344651 — Fax: (01376) 344658



Environmental Services Department,
Planning Services,
Wokingham District Council,
P.O. Box 157,
Shute End,
WOKINGHAM,
Berkshire,
RG40 1WR.

For the attention of Heather Morgan

Dear Ms. Morgan,

re: Wyevale Garden Centre, Bath Road, Hare Hatch

This company has recently been contacted by the Henley Standard, a local newspaper, regarding planning application number F/2000/1164. Apparently a local councillor has alleged the building has been constructed deliberately and flagrantly in breach of the planning permission. I have not commented to the newspaper, not wishing to enter into negotiation via the media, however, I have asked that the councillor be requested to make his views to yourselves.

The circumstances that led to the mistake were explained to Mark Bridge when the matter first came to light. The problem related to an error on the scale of a computer-generated drawing. The enforcement officer understood the problem, having made a similar mistake himself, though in less serious circumstances.

As a result of the error all parties involved are now in an unenviable position for which the company can but apologise. I should, however, be grateful if you would take account of the following in your deliberations:

1. The increased height of the building will not benefit this company in any way whatsoever. There is no increase in floor space; roof space is of no use and will require heating in winter. Furthermore, the structure is not more visible; indeed, in the long term, more screening may be required.

2. The error has resulted in increased building costs which, though not substantial in overall terms, are nevertheless quite significant.

continued/...

3. The mistake has left the company at odds with the local authority and neighbours. This is something that we work extremely hard to avoid as it is in all instances counter-productive. The company has already spent significant sums in an endeavour to appease neighbours and is aware that substantial further sums may well be required by yourselves in respect of landscaping et cetera.

Please be reassured that the company has not deliberately breached the planning permission. I recently visited your offices, unfortunately in your absence, and viewed the file. There are a number of letters objecting to the height of the building. Some appear to indicate this is a problem that has occurred previously at other sites and that Wyevale Garden Centres should not be allowed to "get away with it" as had happened in the past. I would ask that our application be judged on its merits and not in the light of what may or may not have gone before. The building remains set well back from the boundaries of the premises and whilst there is an increase in height, the likely impact when viewed from any vantage point once landscaping works are completed will be small, if at all perceptible.

The annoyance of the local councillors and, indeed, residents is understood. The problem is, however, the result of a genuine mistake and I reiterate this company's apology for the inconvenience. I would emphasise once again our willingness to undertake anything reasonable to minimise the impact and hope you will be able to view the application sympathetically.

I look forward to hearing from you in due course.

Yours sincerely,



Stephen P. Cooper
Estates Manager

Tel. Con 2315

Spoke to Steve Cooper.

Happy to provide additional sub-standard landscaping. Keeping hollies or shrubs.

HM - need to submit full details for approval.

SC - Happy to do so.

- Accepts comments regarding tree matters for the garden centre. Happy to provide some planting as the main centre. May need to provide "Green Backing" because otherwise there will be a view of toilets, staff rooms and shelving

HM - would need to see a sample before committing.

SC - will endeavour to replace planting prior to start?



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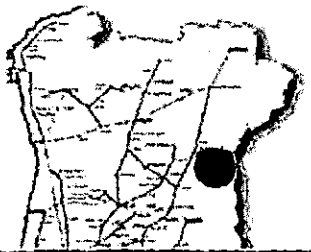


General informations

We recommend that all tickets are purchased in advance, in order for passengers to choose and reserve their seats.

The Committee considered a report about this application set out on Agenda pages 396 to 417.

In explaining the report, the Head of Planning and Transportation commented that the financial contribution referred to was now to be put towards safer routes to schools and local traffic management schemes.

Mrs C A Jewell, Woodley Town Council, attended the meeting and gave that authority's observations on the proposal.

Mr.G Thomas attended the meeting and spoke in opposition to the proposal.

Mr.P Wescott (on behalf of the applicant) attended the meeting and spoke in support of the proposal.

RESOLVED: That consideration of Application No.2000/0996 be deferred to enable a site visit to be undertaken.

46. APPLICATION NO 2000/1164 PROPOSED REDEVELOPMENT OF GARDEN CENTRE (AMENDMENT TO CONSENT 99/70375/F) KENNEDYS GARDEN CENTRE, BATH ROAD, WARGRAVE, FOR WYEVALE GARDEN CENTRE

The Committee considered a report about this application set out on Agenda pages 418 to 429.

In explaining the report, the Head of Planning and Transportation informed Members that, since the Agenda had been despatched, an addition letter of objection had been received.

Mrs.E.O'Brian, Wargrave Parish Council, attended the meeting and gave that authority's observations on the proposal.

Mr.McClur-Fisher attended the meeting and spoke in opposition to the proposal.

Mr F D Browne and Simon Etheridge, local Members, attended the meeting and spoke in opposition to the proposal.

In considering the application, Members expressed concern about the scale of the development now proposed, compared to that previously approved and in the circumstances it was

RESOLVED: 1) That Application No.2000/1164 be refused on the grounds that it represented inappropriate development in the Green Belt;

2) That a report be submitted to a future meeting on what further action might be appropriate.

47. APPLICATION NO 99/69539 PROPOSED ERECTION OF BUILDING FOR USE AS A BOATHOUSE, LANDING STAGE AND ANCILLARY WORKS, UPPER THAMES ROWING CLUB, REMENHAM LANE, REMENHAM, FOR UPPER THAMES ROWING CLUB

The Committee considered a report about this application set out on Agenda pages 439 to 451.

In explaining the report, the Head of Planning and Transportation informed Members that, since the Agenda had been despatched, an additional representation had been received.

Mr. Southwell attended the meeting and spoke in opposition to the proposal.

Mr.G Beard and Mr P Bucket attended the meeting and spoke in support of the proposal.

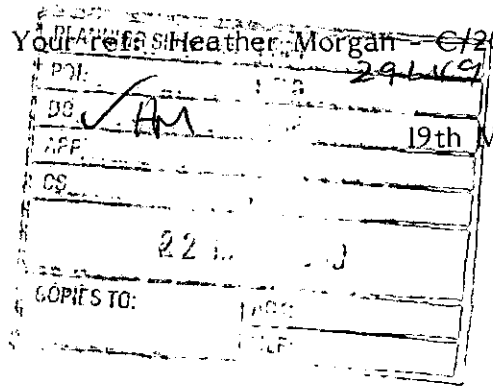
Mr F D Browne, a local Member, attended the meeting and expressed concerns about the proposal. He referred particularly to unauthorised dumping of soil on the site and the need for consideration to be given to the travel arrangements for users of the site.

Wyevale
GARDEN CENTRES

Please reply to:

Wyevale Garden Centre,
Cressing Road, Braintree, Essex, CM7 8DL.
Tel: (01376) 344651 - Fax: (01376) 344658

Your ref: Heather Morgan - C/2000/1227



Environmental Services Department,
Planning Services,
Wokingham District Council,
P.O. Box 157,
Shute End,
WOKINGHAM,
Berkshire,
RG40 1WR.

19th May, 2000.

For the attention of Heather Morgan

Dear Ms. Morgan,

Planning Application No. C/2000/1227
Wyevale Garden Centre, Bath Road, Hare Hatch, Reading

Further to my recent correspondence, I am enclosing a letter received from our neighbour, Mr. D. McClure Fisher, of "Shelleys" in Tag Lane. You will note we have now largely complied with his requests in terms of fencing and turfing, however, the weather has been extremely unkind and the turf has gone down in bad condition. As indicated in previous letters, we will correct this as and when appropriate.

The main purpose of writing is to ask your views on Mr. McClure Fisher's request for the landscape strip. These differ slightly from our original proposals but we are, as previously indicated, very happy to take account of neighbours' requests and will, subject to your agreement, make the appropriate amendment.

The McClure Fishers are our nearest neighbour at the garden centre and they have quite rightly raised a number of concerns about the development. These, as you will see, we have addressed in general terms. Their letter indicates they will be happy with their view of the building subject to our careful preparation and implementation of a sensible and sensitive landscaping scheme. This company is keen to apply the same care to the main frontage which will result in a similarly pleasing view of what is, particularly from the front, an extremely attractive building.

continued/...

In due course your views on our neighbour's suggestions would be very much appreciated and, indeed, when appropriate, I would be happy to discuss further landscaping for the road frontage. Please do not hesitate to telephone should you have any questions regarding any aspect of the application.

Yours sincerely,

Stephen P. Cooper
Estates Manager

"SHELLEYS"
TAG LANE
HARE HATCH
BERKSHIRE
RG10 9ST
0118 9404149
damf_shelleys@msn.com

18 May 2000

S P Cooper Esq
Estates Manager
Wyevale Garden Centres
Cressing Road
Braintree
CM7 8DL

Dear Mr Cooper,

Wyevale Garden Centre Bath Road Hare Hatch.

Thank you for your letter of 10th May. I would like to thank you for erecting the fence, which is certainly a great improvement. The timing of the turfing was indeed unfortunate, as the turf had to wait rolled up for the weather to improve. It has not been helped by the recent spell of hot weather and looks mainly dead to me! I am sure some rain or watering will help but it has been laid with large gaps and is extremely patchy.

The landscaping strip could well be an excellent feature of this garden centre in years to come and gives great scope to the imaginative landscaper. It still has to be extended down to your security fence, will this be done when the area is cleared? We would certainly like to have taller evergreen trees to soften the view of the centre from our bedroom windows, and would be very happy if they were continued on either side of this view. We did suggest however that evergreen shrubs should be along the whole length of the planting and I am sure you may wish to plant a border of flowers at the front. I have marked on the enclosed sketch plan the area where we would like the tallest planting, but I suspect you may well wish to plant other tall trees along the whole bed. Incidentally the giant hogweed is growing up again and need removing.

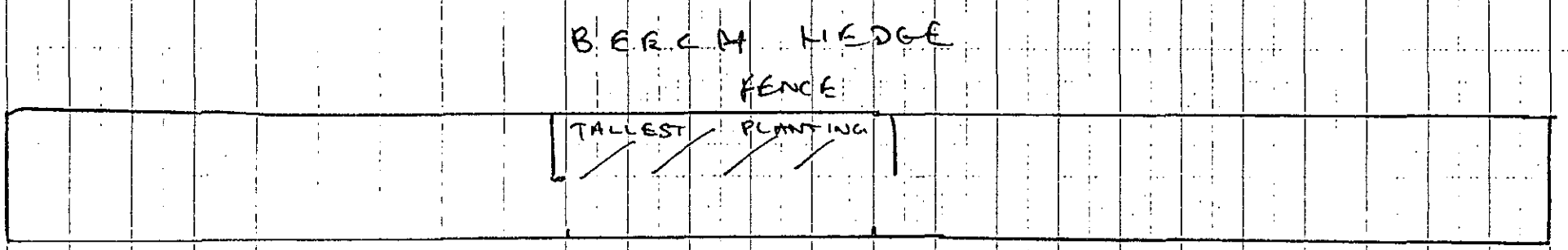
A far as the types of tree are concerned cedar and yew would be excellent, although we do have some quite tall variegated hollies that may be considered. As far as the shrubs are concerned we would suggest variegated Laurel and Box, Eleagnus, Viburnam, Pitisporin, Berberis, but I am sure your experts will have better ideas!

I see that the secure parking area is nearly completed and I hope that the rubbish that is near and leaning on our fence will soon be removed. It is still very annoying that rubbish blows into our garden on windy days from the uncovered skips. I do hope that when you move them round the back that you can replace them with covered skips.

Yours sincerely

D A McClure Fisher

Wyevale000517



SCALE: ABOUT 6' : 1 CM.

Tel. 0118 974 6446 (Direct Line)
E-mail: Heather.Morgan@wokingham.gov.uk
Date. 22 May 2000
My ref. HPM/F/2000/1164
Your ref.

Mr. S. Cooper,
Estate Manager,
Wyevale Garden Centre,
Cressing Road,
Braintree,
Essex. CM7 8DL.

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham

Dear Mr. Cooper,

PROPOSED REDEVELOPMENT OF GARDEN CENTRE (AMENDMENT TO CONSENT 99/70375/F) WYEVALE GARDEN CENTRE, BATH ROAD, HARE HATCH

I refer to the current application at the above site, which has arisen as a result of the increased height of the garden centre which is currently under construction.

As you are no doubt aware, the main issue in the consideration of this application is the increased visual impact upon the open and rural character of the Green Belt. As approved the ridge height was 4.7m. As currently under construction, the ridge heights range from 5.8m to 6.4m. The increase in height over the width of the garden centre will undoubtedly have a greater impact upon the area.

The impact on the area is exacerbated by the use of materials on the garden centre under construction, particularly at the eastern end. The LPA approved thermo clear sheet opal on the walls, with a mix of sheet opal and opaque on the roofs. On a recent site visit it was noted that at least part of the centre is not constructed of clear opal. The aim has always been to minimise the impact and keep the structure as transparent as possible. The materials used are currently in breach of those approved.

In order to be able to progress the application, it is considered absolutely necessary to ensure the structure is transparent as possible. It is therefore considered necessary to replace the polycarbonate referred to in your letter dated 10 May 2000, with clear opal. I recall in e telephone conversation with Hollins that the opaque was only needed on the roofs in order to protect plants and customers. It may be appropriate therefore to provide some blinds on the walls if absolutely necessary for certain areas.

Please could you confirm in writing that the opaque glazing will be removed and replaced with opal glazing. It would be advisable to undertake the works prior to the consideration of the application at the development control sub committee. The earliest date for consideration is 28 June 2000.

It is unlikely that the application will be viewed favourably without these amendments. In addition, it would be helpful to provide additional landscaping along the frontage of the site for the length of the development which should be substantial in nature.

This letter represents an Officer opinion only and cannot be seen to prejudice the final decision of the Local Planning Authority. Please do not hesitate to contact me should you wish to discuss the matter further.

Yours sincerely,

HEATHER MORGAN
Senior Planning Officer

Tel. 0118 974 6446 (Direct Line)
E-mail: Heather.Morgan@wokingham.gov.uk
Date. 16 May, 2000
My ref. HPM/F/2000/1164
Your ref.

Mr. D. McClure Fisher,
Shelleys,
Tag Lane,
Hare Hatch,
Berks. RG10 9ST.

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 977 8909
DX: 33506 – Wokingham

Dear Mr. McClure Fisher,

PROPOSED REDEVELOPMENT OF GARDEN CENTRE (AMENDMENT TO CONSENT 99/70375/F)
WYEVALE GARDEN CENTRE, BATH ROAD, HARE HATCH

I refer to your letter dated 5 May 2000, addressed to Mr. C. Wood, expressing concerns in respect of the current application at the above site.

Impact on the Green Belt

Planning permission ref. 99/70375/F gave consent for one consolidated building, with a maximum ridge height of 4.7m. The scheme also squared off the building so that there was less frontage onto the A4 Bath Road. The current application ref. F/2000/1164 seeks retrospective consent for a building which has been partially erected, with a maximum ridge height of 6.4m for the three central gables and 5.8m on the outer two. The design therefore seeks to reduce the impact on the peripheries of the structure.

The purpose of policies within the Green Belt is to ensure that its open and rural character is not adversely affected, amongst other things. It is accepted that the increase in height will inevitably make the building appear more predominant. However, this needs to be assessed in the context of existing and proposed landscaping, and the distance of 30m from the Bath Road could be argued. However, the current application remains under consideration.

Materials

I note your comments regarding the use of opaque materials on the elevations, which has an unfortunate effect of making the structure heavier. The Local Planning Authority have only approved the use of thermo clear sheet opal on the walls, and it would appear that at least some of the elevations as constructed are at variance with this.

Progression of works

I can appreciate your concerns that the works at the garden centre have progressed with works on site, which do not accord with approved plans. The Local Planning Authority do not condone such works, but would point out that it is not illegal to commence works without consent and then to apply retrospectively. Anyone who does so, however, does so entirely at their own risk and in the knowledge that enforcement action be taken should the development be totally unacceptable. It is not considered that this development in itself would set a precedent as each case is considered on its merits. The erection of totally new structures without planning permission would be entirely different matter (as opposed to commencement of works which have, in the main, got permission).

Restaurant

Your letter refers to a restaurant which lies within the garden centre, and correctly note that there is no reference on the plans to this. The main use of the site is as a garden centre with enclosed and open sales areas. As long as the restaurant remains an ancillary use to the main it does not require a separate consent. No restrictions were imposed on the 1997 and 1999 consents which prevents the applicants from installing A3 facilities.

I note your concerns in respect of the rubbish which is accumulating and can advise you that the case officer will be contacting the applicant with a view to resolving this matter as part of the current application.

The application is likely to be considered at the Development Control Sub Committee meeting on 28 June 2000. I trust your queries have been addressed in full. Please do not hesitate to contact the case officer, Heather Morgan on (0118) 974 6446 should you wish to discuss any points in further detail.

Yours sincerely,

JPM

pp JOJHN MITCHELL

Development Control Manager

Wokingham District Council
Planning Application

Town and Country Planning (General Development Procedure) Order 1995 – Notice under Article 8

AND/OR

Planning (Listed Buildings and Conservation Areas) Regulations 1990 and Planning (Listed Buildings and Conservation Areas) Act 1990

Application No: F/2000/1164

Proposal:
Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)

Location:
Wyevale Garden Centre Bath Road Hare Hatch Reading

This application is being advertised in the Henley Standard newspaper on the 12/05/2000 for the following reason(s);

PROPOSAL IS A MAJOR DEVELOPMENT

The application can be inspected at Wokingham District Council's offices during the following times:

PLANNING DEPARTMENT, SHUTE END, WOKINGHAM TEL (0118) 974 6428
8.30 - 5.00 Monday - Thursday & 8.30 - 4.00 Friday

WOODLEY LIBRARY HEADLEY ROAD WOODLEY (9.30am - 7.00pm Mon, Thurs & Fri. 9.30am - 5.00pm Tues, 9.30am - 1.00pm Saturday. closed all day Wednesday)

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Heather Morgan P.O. Box 157 Council Offices, Shute End, Wokingham, Berkshire, RG40 1WR to arrive before **02/06/2000** from the date of this notice. Written comments submitted will become available for public inspection.

In view of the very large number of planning applications and letters of comment received, it will not be possible for an individual reply to observations made. However any comments will be taken into account when the application is determined and you will be notified of the decision.

Date: 12/05/2000

On fence on road frontage
11/5/00
JCPM.

PLANNING SERVICES Ref: 29219
POL
DC
PP
S
COPIES TO: ACK:
FILE:

Wyevale GARDEN CENTRES

Please reply to: Wyevale Garden Centre,
Cressing Road, Braintree, Essex, CM7 8DL.
Tel: (01376) 344651 - Fax: (01376) 344658

Your ref: Heather Morgan - C/2000/1227

10th May, 2000.

Environmental Services Department,
Planning Services,
Wokingham District Council,
P.O. Box 157,
Shute End,
WOKINGHAM,
Berkshire,
RG40 1WR.

For the attention of Heather Morgan

Dear Ms. Morgan,

re: Planning Application No: C/2000/1227
Wyevale Garden Centre, Bath Road, Hare Hatch, Reading

Further to our recent telephone conversation, it is noted that there have been a number of letters received by you in respect of the above-mentioned application. As a result it is scheduled to go to committee, probably on the 7th June 2000. I would like to take this opportunity to confirm matters we discussed in the light of the aforementioned letters:

1. The overflow car park was to be turfed in the autumn. Concerns were expressed by our neighbour at "Shelleys", a house to the rear of the site. Discussions followed and it was agreed the area to be grassed would in fact be turfed this spring. The weather was most unhelpful and two weeks of rain at the crucial point has resulted in the turf being laid in poor condition. The company will take remedial action by patching or re-laying the grassed area during the autumn. In addition, following the neighbour's concerns in respect of privacy, fencing has been provided along the boundary with their property.

2. Works on the highway are now complete and appear to be working well. Some problems with customers gaining access via the old driveway have been experienced. Discussions have since taken place with Mabey Holdings regarding this and a temporary fence has been put in place. A more permanent and attractive arrangement is planned for the near future.

3. The new shop building is clad in polycarbonate which improves the atmosphere for both customers and plants by preventing excessive glare and heat. When new, polycarbonate has a sheen which, I believe, has led to concerns being expressed. The shiny appearance will, however, fade very quickly in sunlight and the structure will consequently mellow over the forthcoming months.

continued/...

4. The garden centre building is set well back from all boundaries, allowing significant scope for enhancement of what is undoubtedly an attractive structure. Discussions have already taken place with our neighbour to the rear and further are planned. The neighbour has initially requested the use of conifers (though not leylandii) and, subject to your agreement (as part of the landscape scheme), this we are happy to provide. The front boundary of the garden centre site is already substantially landscaped, though gaps exist offering the opportunity for further planting. The use of large trees, such as weeping willow, would soften the impact of the structure without screening off what is a very substantially better and more attractive building than that being replaced.

Hopefully, I have adequately outlined all points recently discussed. I would welcome a meeting on site to consider further our landscaping proposals - something, I should stress, the company takes very seriously and, indeed, any other item. I look forward to hearing from you should you have any questions but will telephone again in the near future to see if any further concerns have arisen.

Many thanks in anticipation of your continuing assistance on this matter.

Yours sincerely,

Stephen P. Cooper
Estates Manager

Tel. Con 9/5/00 with
Steve Cooper

Willing to provide additional
screen - mature landscaping
if felt to be necessary.

- Parking area - may have been
  lined within turf. (Not in a good
  condition.)
  If to be tidied will be in-house
  Autumn in.
  Green mesh on top of grass to
  prevent rutting.
  Agreed to speak if amended.
- needed eg planting

JEPM

WOKINGHAM DISTRICT COUNCIL

To Heather

Date _____ Time _____

WHILE YOU WERE OUT

Name Claire Read.

Of _____

Phone No. 9321141 Ext. _____

Phoned		Please call back	
Called to see you		Will call back	
Wants to see you		Urgent	

MESSAGE The Croft, 91 Wargrave Road, Twyford - would like a progress report.

Signed _____

1327

WOKINGHAM DISTRICT COUNCIL

To Tuesday.

Date _____ Time _____

WHILE YOU WERE OUT

Name Mr Gradias.

Of Reading Assoc.

Phone No. 0118 9402396 Ext. _____

Phoned		Please call back	
Called to see you		Will call back	
Wants to see you		Urgent	

MESSAGE Was calls. Gordon Cowie.

Have letter - F/2000/0164

S/S Height is of particular concern

Applicants - would be lower

than existing in letter - Not now the case.

opaque glazing is unfortunate.

Signed Wants more solid material. Business P/C

last

Cllr Etheridge phoned
he wanted to visit the
application - I told him
(left message on answer machine)
that it was a DC Sub item
automatically

Nicky

1327

WOKINGHAM DISTRICT COUNCIL

To _____

Date _____ Time _____

WHILE YOU WERE OUT

Name _____

Of _____

Phone No. _____ Ext. _____

Phoned		Please call back	
Called to see you		Will call back	
Wants to see you		Urgent	

MESSAGE _____

Signed _____

Heather Morgan

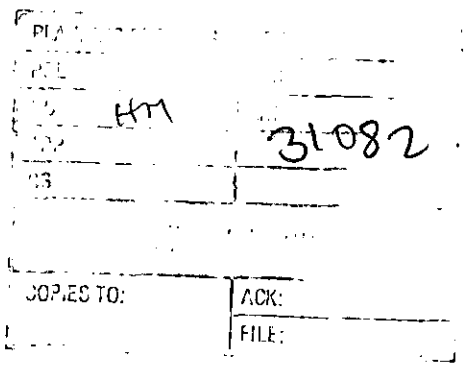
From: David McClure Fisher [david@warrantydirect.co.uk]
Sent: 26 June 2000 11:28
To: heather.morgan@wokingham.gov.uk
Cc: David McClure Fisher
Subject: Redevelopment of Wyevale Garden Centre Bath Road Hare Hatch

I understand that you have asked for comments on the revised planting plan by today.

I am somewhat surprised you did not notify me of this.

I have not yet been able to see the latest plans but I understand that the landscaping on Shelleys side of the redevelopment is in accordance with our suggestions and will help to conceal and soften the outline of the building.

However all the improved landscaping imaginable cannot obscure the fact that this is a very much larger building than originally proposed and approved and does have a much greater visual impact than the original approved building



"SHELLEYS"
TAG LANE
HARE HATCH
BERKSHIRE
RG10 9ST
0118 9404149
damf_shelleys@msn.com

HM

29111

C Wood Esq.,
Head of Planning and Transportation
Wokingham District Council
Shute End
Wokingham
Berkshire
RG40 1WR

REPLY REQUIRED
22/5

pl. draft a reply.

5 May, 2000

Dear Mr Wood

Wyevale Garden Centre Bath Road Hare Hatch.
Application F/2000/1164
Planning Consent 99/70375/F

I would first like to thank your enforcement officers for ensuring that the overflow car park is being grassed and not gravelled as the developers had attempted to do.

With regard to your letter of 18 April I object to the proposed amendment to the original application.

This site has a long history of planning applications.

Extensions were refused in 1990 because the size was in conflict with Green Belt policy.

The 1992 resolution (on which this application is based) was only acceptable because of improved visual amenity and consolidation of small, scattered buildings.

The 1997 application clearly shows the new building to be lower in height than the existing building. Your officer recommended the application as it had a "less solid, more light weight glass house appearance" than the 1992 scheme.

The 1999 application was for a building lower in height and in keeping with the design of the previously approved glass houses. In a covering letter dated 25 August 1999 the applicant stated that ***the roof line of the new structure will be significantly and substantially less imposing, thereby enhancing the openness of the green belt."***

This has not proved to be the case. The new building is significantly higher and much more imposing. The opaque material used in the walls takes away any possible lightness in appearance and gives the building the feel of an industrial site or retail park. There has been a significant increase in intensity of use and traffic generation. Altogether this development (which is still only phase one) has a very adverse visual and physical impact (which will be impossible to obscure by planting) and is entirely contrary to Green Belt policy.

I have received an explanation from the developer of why the building is so much higher than the approved plans, but this is not the issue. The height of the building has always been a most important factor and it is inconceivable that this height would have been approved had it been applied for in 1999.

The developers have shown a further disregard for the planning process. Not only is the building not in accordance with the plans but your letter of 10 March advising the applicant to cease all work had the opposite effect! The partially completed building was opened to the public as soon as it could be with open sides and a temporary electric generator that caused considerable nuisance.

If this application is approved not only will part of our Green Belt be spoilt for ever but there will be other, far reaching consequences.

First one must consider the possible future development of this site. If this is approved what is to stop them building another monstrosity and applying for retrospective permission?

Secondly how about other developments? Retrospective approval in this case would give a green light to other developers in the area to ignore planning approvals and constraints, build what they like and get it approved later. It would be a very dangerous precedent.

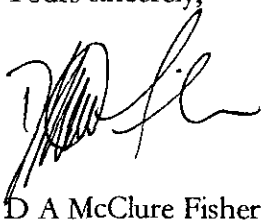
There are two other issues that I would like to raise.

The restaurant. A large 120 seat restaurant is included in the development. This is not in keeping with a garden centre development and is a further move to a retail park operation. It is not mentioned in the application and should be removed.

Rubbish. No satisfactory provision has been made for rubbish. This garden centre has always generated large amounts of rubbish and now generates even more. The skips used are inadequate. They get overfilled and lots of rubbish blows about and lands on the roads and in the adjoining properties. It could easily cause a road accident, is very unsightly and could encourage vermin. Proper provision should be made for a covered rubbish area, at the rear of the building, well away from the adjoining domestic property.

I look forward to hearing when the planning committee will be meeting.

Yours sincerely,



D A McClure Fisher

① Highes structure
② Concerned wb retrospective nature.
③ Opaque glass → more ind. in appearance
④ oppor. to create a roundabout lost
⑤ Detrimental to Gn Belt

1327

WOKINGHAM DISTRICT COUNCIL

To Arthur

Date 25/4 Time

WHILE YOU WERE OUT

Name Jane Pinn

Of Peter Brett Associates

Phone No. 0161 832 3665 Ext.

Phoned	✓	Please call back	✓
Called to see you		Will call back	
Wants to see you		Urgent	

MESSAGE Re: Radnor Mount Site

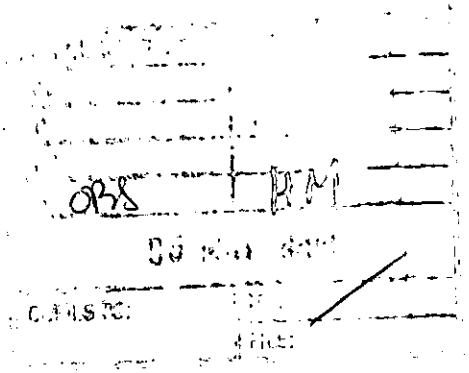
Nagrave Lane.

Signed Natalie

(3)

0118 9403678

Burgundy 3678.



A'Bear's Corner,
Hare Hatch,
Twyford,
Berkshire.

30th April 2000

Dear Sir,

Wyevale Garden Centre Bath Road, Hare Hatch.
Planning Consent 99/70375/F

With reference to our recent letter regarding the above and the increase height of the building in a Green Belt Rural Area that the application to retrospectively in crease the height is refused and that an enforcement order to reduce the height to that originally approved be issued.

Yours faithfully,

L. & R. Willett

L.& R. Willett

Mr. Chris Wood,
Head of Planning & Transportation,
Wokingham District Council,
Shute End,
Wokingham,
Berkshire.

1999 / 70375 (3)

0118-9403678

Wargrave 3678.

0035 HM

A'Bear's Corner,
Hare Hatch.
Twyford.
Berkshire.
RG10 9TL

Phone to apologise

Dear Sirs,

23-3-00

We have been informed that Wyevale Nurseries at Hare Hatch, are disregarding the terms of their planning consent by increasing the height of their new building by 5ft. We consider this outrageous and otherwise in a Rural and Green Belt Area, also the overflow car park which was to be turfed is now being tarmacadam. We totally condem the flouting of rules and regulations which appears to happen so frequently in rural areas.

Also it is very wrong to have given consent to Hare Hatch Business Park to have an entrance on Pilley Lane on a particular nasty bend, and the vehicles and very Heavy Lorries turn in and out regardless of traffic using the Lane.

Yours faithfully
L. Willett

Hare Hatch & Kiln Green Residents Association
c/o Old Trees, Hare Hatch, Bath Road, Reading, Berkshire RG IO 9SP.

Your ref: F/2000/II64.

I May 2000.

PLANNING SERVICES | HPT
POL | TLS
DC | ELF
APP
CS 085 | HM
COPIES TO: | ACK:

Mr C.Wood,
Head of Planning and Transportation,
Wokingham District Council,
Shute End,
Wokingham,
Berkshire RG40 IWR.

Dear Mr Wood,
Re: Wyevale Garden Centre, Bath Road, Hare Hatch.
Application No F/2000/II64(Amendment to consent 99/70375/F).

I refer to previous correspondence with respect to the above site. The submission of this revised application after the development has taken place should in our opinion not be allowed. It strikes us as a serious breach of the entire planning procedure and makes a mockery of the whole process. Retrospective submissions however seem to be the rule on quite a number of developments in this area. It is abundantly clear to us that the applicantsknow that it is extremly unlikely that it will be refused or an enforcement order issued to take the building down.

In considering the front south elevation which is clearly higher than the previously approved scheme and blatantly ignores the applicants own letter which stated that the new building would not be as high as the existing one, albeit that it had outserved its use and would be taken down. The previously approved elevation gives the impression that the frontage would be fully glazed above a solid upstand now seen as brick, whereas the right hand element employs an opaque material which returns on the side east elevation. This in our opinion is most unfortunate as it takes away the lightness in appearance and looks more industrial/ business park.

Whilst we appreciate that storage must be accommodated, it would have been preferable to locate it in the rear part of the building where it would have been nearer to the service yard. An opaque treatment here would have had less visual impact and would have provided an appropriate backgroond to the great variety of items on display in the area leading to the northern boundary of the site.

Finally, we feel that in the overall development of this site the opportunity to create a much needed roundabout has been lost. The quing witnessed today on the A4 in both directions illustrates the seriousness of the situation. At the time of the first planning application by Kennedy's early in I994- application 39452, the Residents Association wrote to the Wokingham District Council pointing out the desirability of constructing such a roundabout which would take into account London Road, Mamberry Hill, the A4 and the proposed entrance/exit to Kennedy's which incidently, was more or less in same position as it is today. We were aware that considerable cost would be involved in the re-routing of services to facilitate this and that it would be reasonable for Kennedy's to make a substantial contribution towards this. Some short time later we were most interested to read in Wokingham Disrict Council's Newspaper that a roundabout was scheduled at this junction.....

We trust that the points we have made will be considered before a decision is reached in this matter.

Yours sincerely,

Martin T.M.Gradon.
Chairman.

(2) prior to applic

PLANNING SERVICES	
POL	
DC	
APP	
CS 015	HM
06 APR 2000	
COPIES TO:	ACK:
	FILE:

Appletree Cottage
Tag Lane
Hare Hatch
Reading
RG10 9ST.

30 March 2000

Chief Planning Officer.
Wokingham District Council
Shute End
Wokingham

Dear Sir

RE: P/A No. 99/70375/F
Wyevale Garden Centre

As you are aware, the main building at Wyevale Garden Centre has been constructed to a height of approximately 5 feet in excess of the approved plans.

I understand that you requested that building work be stopped but, as you probably know, the

Shingleberry
Tag Lane
Hare Hatch
Twyford
Berks RG10 9ST

0118-940-2157

25 April 2000

The Develpment Control Manager
Wokingham District Council
Shute End
Wokingham
RG40 1WR

PLA... ...G SERVICES	IFI
POL	TLS
DC	ENF
APP	
CS OBS	HP
28 APR 2000	
COPIES TO:	ACK:
	FILE:

Dear Madam

Planning Application F/2000/1164: Wyevale Garden Centre, Hare Hatch

Further to my earlier letter expressing concern about departures from the approved plans for this development, I understand that a new application has been made seeking retrospective approval for the unauthorised height of the new buildings which are >2m more than proposed. My concern on this point remains, and I urge the Council to refuse consent and seek enforcement of the originally approved lower height.

As one who has in the past been limited by your department in my own plans for domestic building extension in this same locality, quoting such reasons as "significant detriment to the visual amenities of the locality" and inter alia quoting Green Belt Local Plan Policy 1 (General restrictions), I feel qualified to express my concern that this development should be allowed to "get away with" exceeding its permitted limits and restrictions.

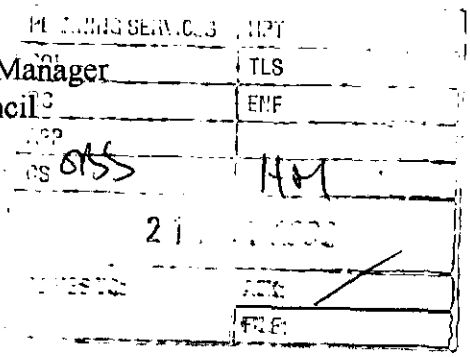
If the phrase "Stringent environmental criteria will be applied in judging whether the appearance and siting of such proposals are acceptable" means anything, and can be used in my case to limit extensions to a private house, how much more should such criteria be fully applied to controlling what is fast becoming a major commercial centre within the Green Belt boundaries. The "warehouse-like" appearance of the building is completely inappropriate for a Green Belt site, and will only serve to encourage further commercial development.

I look forward to hearing that Wyvale Garden Centre have been instructed to bring their development within the permitted and agreed limits.

Yours faithfully

Richard V.S.Lloyd

Prior to submission of application



The Develpment Control Manager
Wokingham District Council
Shute End
Wokingham
RG40 1WR

Shingleberry
Tag Lane
Hare Hatch
Twyford
Berks RG10 9ST

0118-940-2157

19 March 2000

Dear Madam

Planning Consent 99/70375/F: Wyevale Garden Centre, Hare Hatch

I write to express my extreme concern regarding the departures from the approved plans which have been noted by fellow residents on the above development. These are:

a) The height of the new "warehouse-type" buildings which are supposed to be below the height of the existing buildings, but which are now nearly two metres higher

b) The replacement of the required grass car parking surface by gravel on the north-east side of the property.

As one who has in the past been limited by your department in my own plans for domestic building extension in this same locality, quoting such reasons as "significant detriment to the visual amenities of the locality" and inter alia quoting Green Belt Local Plan Policy 1 (General restrictions), I feel qualified to express my concern that this development should be allowed to "get away with" exceeding its permitted limits and restrictions.

If the phrase "Stringent environmental criteria will be applied in judging whether the appearance and siting of such proposals are acceptable" means anything, and can be used to limit extensions to a private house, how much more should such criteria be fully applied to controlling what is fast becoming a major commercial centre within the Green Belt boundaries.

I look forward to hearing that Wyvale Garden Centre have been instructed to bring their development within the permitted and agreed limits.

Yours faithfully

Richard V.S.Lloyd

HIGHWAYS CONSULTATION SHEET

From: Heather Morgan

Date: 18 April 2000

Application Number: F/2000/1164

Proposal: Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)

Site Address:
Wyevale Garden Centre, Bath Road, Hare Hatch, Reading.

Applicant:
Kennedy Garden Centres Ltd .

Your observations are required in respect of this application within **7 days** of the above date.

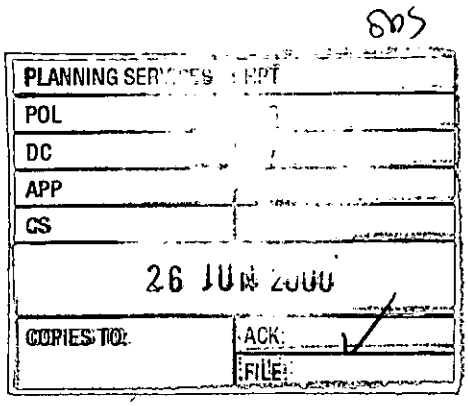
✓ below as applicable;

1) ☐ Recommend refusal for the reason(s) **stated below**;
2) ☐ Recommend approval but with condition(s) & reason(s) **stated below**;
3) ☐ Recommend approval with **no** condition(s) or reason(s).

I UNDERSTAND THAT THIS APPLICATION ONLY RELATES TO AMENDMENTS TO ELEVATIONS AND THAT THERE WILL BE NO INCREASE IN FLOOR AREA OR CHANGES TO ACCESS/SERVICING. ON THIS BASIS, THE H.A. HAVE NO OBJECTIONS.

Signed: _____ 5/4/00 **Print name:** _____

Heather Morgan
Wokingham District Council
Shute End
Wokingham
RG40 1WR



Shingleberry
Tag Lane
Hare Hatch
Twyford
Berks RG10 9ST

0118-940-2157

23 June 2000

Dear Ms Morgan

Planning Application F/2000/1164; Wyevale Garden Centre, Hare Hatch

I was advised by your department of the revised landscape proposals for the above application, and attempted to view them at Woodley Library this morning. Unfortunately there has been a hiccup in the document distribution process, and the papers were not available there. I was however able to have the relevant text of the accompanying letter read to me over the phone.

No doubt the proposed "semi-mature trees" to be planted for the Bath Road frontage and the "large trees" for the Shelleys boundary will serve to disguise the excessive height and bulk of this building - but that is all. Disguise is inadequate and I remain of the firm opinion that Wyevale should be instructed to reduce the building to the originally approved height.

Having visited the Garden Centre as a customer I would observe that the major portion of the new premises are currently being used as a furniture showroom and cafeteria. Neither of these uses is central to the main purpose of the business of a Garden Centre, and should not be used to justify the excessive height and the over-development on a Green Belt site.

Yours faithfully

Richard V.S.Lloyd

TO: **DEVELOPMENT CONTROL**
Heather Morgan

FROM: Environmental Design

DATE: 5 June 1999

Location:	Wyevale Garden Centre, Bath Road, Wargrave
Proposal:	Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)
Application Number:	C/2000/1164

In response to your consultation dated 18 April 2000 for the above application, the landscape comments are as follows:

I believe that the height of the garden centre building is slightly taller than in the original scheme, and that additional planting has been agreed to help reduce the impact of the building from the road. This is acceptable, and having spoken to the landscape architect, the planting will be shown on a revised landscape scheme.

Catherine Brimble

Catherine Brimble
Landscape Architect

Heather Morgan

2931?

From: Wargrave Parish Council [wargraveparishcouncil@hotmail.com]
Sent: 12 May 2000 19:48
To: Heather.Morgan@wokingham.gov.uk
Subject: Planning Application No: F/2000/1164

Dear Heather,

Firstly I would like to introduce myself, I am the new Clerk for Wargrave Parish Council, I understand my predecessor had a good working relationship with your department, I hope that this will continue.

With regard to Wyevale Garden Centre's recent application (amendment ot consent 99/70375/F), the Parish Council would like to request that the orginal consent is enforced as the building constructed is clearly not what was agreed to. Furthermore may I enquire as to whether the car parking scheme has been constructed as per the approved plans.

Thank you for your assistance.

Regards,

Stephen Hedges
Clerk for Wargrave Parish Council

If you have any questions regarding the content of this email, please feel free to contact me.
Email ~ wargraveparishcouncil@hotmail.com <mailto:wargraveparishcouncil@hotmail.com>
Tel/Fax ~ 01628 788354

FROM: Heather Morgan

DATE: 18 April 2000

WARGRAVE PARISH CONSULTATION SHEET

29364

PC

DC 4TH

CS

COPIES TO:

Application Number: F/2000/1164

Proposal: Proposed redevelopment of garden centre (Amendment to consent 99/70375/F).

Site Address: Wyevale Garden Centre, Bath Road, Hare Hatch, Reading.

Applicant: Kennedy Garden Centres Ltd .

Your observations are required in respect of this application **by 12/05/2000** .

OBJECT :-

Height & mass in greenbelt.

Informative :

The Parish Council would like to question the type of materials used.

SIGNED: A Hedges

DATE: 2/5/00

Clerk To Wargrave Parish/Town Council.

WARGRAVE PARISH COUNCIL

33 Ridgeway
Wargrave
Reading
RG10 8AS

Tel/Fax: 0118 940 4983 Email: wargraveparishcouncil@btinternet.com

PLANNING SERVICES | RPT 27965
POL | TLS
DC ✓ HM | ENF
APP |
CS |
04 APR 2000
COPIES TO: | ACK:
FILE:

3 April, 2000

Heather Morgan
Planning Officer
Wokingham District Council
PO Box 157 Shute End
Wokingham RG40 1WR

Dear Ms Morgan,

99/70375/F – Kennedys Garden Centre, Bath Road, Wargrave

I have been instructed to inform you that the Parish Council supports the comments made by the Chairman of the Hare Hatch and Kiln Green Residents Association in his letter of 16 March. A copy is attached.

Yours sincerely

Norman Raybone

Norman Raybone
Clerk to Wargrave Parish Council

CC Angela Hodgson

Return to DC, 23/3

HARE HATCH & KILN GREEN RESIDENTS ASSOCIATION

Old Trees,
Bath Road
Hare Hatch
16 March 2000

The Chief Executive
Wokingham District Council
Shute End
Wokingham
Berkshire

COPY

Dear Sir,

Wyevale Garden Centre Bath Road Hare Hatch.
Planning Consent 99/70375/F

I am writing to draw your attention to some flagrant breaches of the planning consent in respect of the above.

1 **The buildings have been built nearly two metres higher than the approved plans.** This has had an extremely adverse visual impact on the surrounding Green Belt area and the neighbouring properties. The development now looks more like a warehouse than as described in your departments' appraisal as having a "less solid more light weight glass house effect to reduce the visual impact."

We did not object to this application, which was in replacement of application 97/65329F largely because the height of the proposed building was to be reduced. Indeed in a covering letter Wyevale made a virtue of the fact that they would reduce the height. To find it is now higher, not lower, than the existing building shows a cynical disregard for the planning process.

2 **The overflow Car Park is being constructed with a gravel surface not grass as approved by you.**
This will have a very adverse impact on the neighbouring property and is totally against your approval, which would tend to keep cars away from the property. It would also create additional noise, dust and nuisance for the property.

3 **The development commenced long before the access road was built (Condition 9).** It is in fact nearly completed and the road only just started. The Tag Lane exit is still open.

4 **Details of the landscaping works have not been agreed before the work started (Condition 10).** This is a most important feature of the approval involving not only the visual impact of the development in a Green Belt area but also its effect on the neighbouring properties.

I am appalled that major breaches of consent should have occurred in such a delicate redevelopment and ask that you ensure that work is stopped, the height reduced and the original conditions are adhered to. This building is an eyesore.

Yours faithfully

M Gradon
Chairman

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date:	[illegible]
Officer: HM	Application No. F/2000/0164

Map No. 25 **Site** 267

Easting: ..... Flood Pln .....

Northing: ..... Mineral .....

Level: ☑ **Sub Committee** ☐ **Delegated** ☐ **Sec. State**

☐ **Incorrect Fee** ☐ **Invalid** ☐ **PD**

Description:
(F) PROPOSED REDEVELOPMENT OF GARDEN CENTRE (AMENDMENT TO CONSENT 99/70375/F)

Location: FLORAL MILE BATH ROAD

Parish: WARGRAVE Ward: Wargrave
18 4 2000

Applicant: KENNEDY GARDEN CENTRES LTD.
re-submission

Fee Received 00-00 Required ..... Additional ..... Refund .....

Enforcement Section to be notified ☐ tick if required

Additional information required for validation

		Reason	Requested	Received
1	1:2500 OS location plan showing property edged in blue/red			
2	1:500 block plan showing existing & proposed dev. + adj. Properties			
3	Forms unsigned			
4	Correct S 66 certificate			
5	Elevation plans			
6	Floor plans			
7	Metric scale disclaimer			
8	Encroachment letter			
9	Miscellaneous			

04.APR.2000* 1164

Please reply to:

Wyevale Garden Centre,
Cressing Road, Braintree, Essex, CM7 8DL
Tel: (01376) 344651 - Fax: (01376) 344658

Your ref: CD/FP1999/0002(70375)

Mrs. C. Dodsworth,
Development Control/Building Control Liaison Officer,
Environmental Services Department,
Planning Services,
Wokingham District Council,
P.O. Box 157,
Shute End,
WOKINGHAM,
Berkshire,
RG40 1WR.

31st March, 2000.

Dear Mrs. Dodsworth,

re: Wyevale Garden Centre, Bath Road (Floral Mile), Hare Hatch

Further to your letter of 10th March 2000 and our subsequent conversations, please find enclosed a planning application for the revisions to planning permission 99/70375/F which relate to elevations. Hopefully, you will find everything in order.

The structure is set well back from all boundaries which will minimise the visual effect of the changes. The company would welcome the opportunity to discuss further landscaping proposals which, if strategically positioned, would break up and soften the impact of the development.

Should you or any of your colleagues have any questions regarding this application, please do not hesitate to telephone.

Yours sincerely,

Stephen P. Cooper
Estates Manager

1789/a

SECTION 66 CERTIFICATE

WOKINGHAM DISTRICT COUNCIL

Application No.

04.APR.2000* 1164

Please fill in both Certificate A, B, C or D and the Agricultural Holdings Certificate. Delete sections not relevant.

(a) "Owner" means a person having a freehold interest or leasehold interest the unexpired term of which is not less than 7 years.

OR

+ See Note (a) to Certificate A

OR

(b) Insert description of steps taken.

(c) Name of local newspaper circulating in the area where the land is situated.

(d) Date of publication (which must be not earlier than the beginning of the period of 21 days ending with the date of the application).

CERTIFICATE A

I certify that:

at the beginning of the period of 21 days ending with the date of the accompanying application, nobody, except the applicant, was the owner of (a) of any part of the land to which the application relates.

CERTIFICATE B

I certify that:

I have/The applicant has* given the required notice to everyone else who, at the beginning of the period of 21 days ending with the date of the accompanying application was the owner (a) of any part of the land to which the application relates, as listed below.

Owner's(a) name	Address at which notice was served	Date on which notice was served

CERTIFICATE C

I certify that

- I/The applicant* cannot issued a certificate in accordance with either paragraph (a) or paragraph (b) of Section 66(1) of the Act in respect of the accompanying application.

- I have/The applicant has* given the required notice to the persons specified below, being persons who at the beginning of the period of 21 days ending with the date of the application were owners (a) of any part of the land to which the application relates.

Owner's(a) name	Address at which notice was served	Date on which notice was served

- I have/The applicant has* taken all reasonable steps open to me/him/her* to find out the names and addresses of the other owners (a) of the land, or of a part of it, but have/has* been unable to do so. These steps were as follows:

  (b) . . . . . .

  . . . . . .

- Notice of the application as attached to this Certificate, has been published in the (c) . . . . . .

  on (d) . . . . . .

1769a

WOKINGHAM DISTRICT COUNCIL
PLANNING APPLICATION

PART 1

APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT - TOWN AND COUNTRY PLANNING ACTS

Please answer **ALL QUESTIONS** in **BLOCK LETTERS.** If a question is not applicable, answer **N/A** in space. Please submit **SIX** copies of this form and plans to:-

THE DISTRICT PLANNING OFFICER
WOKINGHAM DISTRICT COUNCIL
PLANNING DEPARTMENT
P O Box No. 157
COUNCIL OFFICES
SHUTE END
WOKINGHAM
BERKSHIRE, RG40 1WR

FOR OFFICE USE ONLY

04.APR.2000* 1164

1.	**APPLICANT'S NAME**	Kennedy Garden Centres Limited
	ADDRESS	Kings Acre Road Hereford
	POST CODE	HR4 0SE **PHONE** 01432 276568
2. If the applicant has an agent, all correspondence will be sent to the agent	**AGENT'S NAME**	
	ADDRESS	
	POST CODE	**PHONE**
3. On the plans show the SITE outlined in RED Show also OTHER land in the applicant's ownership or control in BLUE.	**SITE LOCATION**	Floral Mile, Hare Hatch, Twyford, Nr. Reading, Berks. RG10 9SW.
4. WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used.		Revised elevations to garden centre building Ref: Planning permission 99/70375/F
5. Give the area in hectares or part of a hectare	**AREA OF SITE**	2.67 hectares
6. State the applicant's interest in the land e.g. owner, prospective purchaser, lessee	**OWNERSHIP**	Owner
7. List all the plans and drawings submitted with the application	**PLANS/DRAWINGS**	Location plan and drawing number 99148/10B

8. **DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING ?** Tick the boxes(x)

- **CHANGE OF USE** ☐
- **REDEVELOPMENT** ☐
- **ERECTION OF NEW BUILDING** ☐
- **ALTERATION or EXTENSION** ☐

9. **WHAT TYPE OF APPLICATION IS THIS ?** Tick one box only

- **OUTLINE PERMISSION** ☐ **See question 10**
- **FULL PERMISSION** ☑
- **APPROVAL OF DETAILS/RESERVED MATTERS** ☐ **State relevant outline permission number. Also complete Question 10**
- **TEMPORARY PERMISSION** ☐ **State period required**
- **RELAXATION OF CONDITIONS** ☐ **State relevant application number. Conditions to be relaxed**

10. **IF THIS IS AN OUTLINE APPLICATION OR AN APPROVAL OF RESERVED MATTERS, which details, if any, do you wish to be considered as part of this application ?**

- **SITING** ☐
- **EXTERNAL APPEARANCE** ☐
- **DESIGN** ☐
- **MEANS OF ACCESS** ☐
- **LANDSCAPING** ☐

1769c

PLANNING APPLICATION

PART 2

This part of the form need only be completed if the application involves non-residential development. Please answer all questions in print or block letters. If the answer is not applicable, write N/A in the space. You may wish to amplify your answers in a covering letter.

24. STATE THE GROSS FLOOR SPACE (by external measurement) OF ALL BUILDINGS TO WHICH THIS APPLICATION REFERS. Please give all floor areas in SQUARE METRES.

No change from that authorised previously

	USE CLASS	Existing floor space		Proposed additional floorspace created by	
		Retained in existing use	Lost by change of use or demolition	New building	Change of use
A1	SHOPS				
A2	FINANCIAL AND PROFESSIONAL SERVICES				
A3	FOOD AND DRINK				
B1(a)	OFFICE (other than A2)				
B1 (b)	RESEARCH AND DEVELOPMENT				
B1 (c)	LIGHT INDUSTRIAL				
	GENERAL INDUSTRIAL				
B3-7	SPECIAL INDUSTRIAL				
B8	STORAGE OR DISTRIBUTION				
C1	HOTELS AND HOSTELS				
C2	RESIDENTIAL INSTITUTIONS				
D1	NON-RESIDENTIAL INSTITUTIONS				
D2	ASSEMBLY AND LEISURE				
OTHER	Please Specify				
OTHER	Please Specify				
	TOTAL				

25. IF C1 OR C2 USE IS PROPOSED, PLEASE STATE NUMBER OF BED SPACES — Not applicable

WHAT PROVISION IS BEING MADE FOR PARKING?

	Cars	Lorries
Existing	310 approx.	
Proposed	420 approx.	

27. DESCRIBE THE ACTIVITY OR PROCESSES TO BE CARRIED ON
Please provide details of any equipment, plant or machinery to be installed and any end products. You may wish to amplify your answers in a covering letter.

Garden Centre

28. WHO WILL OCCUPY THE PREMISES?
a) Give the name and current operating address of the proposed occupier.
b) Will these premises be vacated?

Wyevale Garden Centres plc.,
Kings Acre Road, Hereford, HR4 0SE.

29. IF KNOWN, HOW MANY PEOPLE ARE LIKELY TO BE EMPLOYED ON SITE AFTER COMPLETION OF THE DEVELOPMENT? Not known

Existing Staff	Transferred Staff	New Staff	Total

30. DOES THE PROPOSAL INVOLVE THE USE OR STORAGE OF ANY OF THE HAZARDOUS SUBSTANCES LISTED IN THE NOTES?
If so, state this material, the quantity and method of storage.

Not aware of any

Before submitting the application check that it is complete, that all questions have been answered and that the site boundary and the new work are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate and fee. See "NOTES TO HELP APPLICANTS".

(1) TWYFORD FARM / SHOP / FLORAL MILE NURSERIES / PRIMROSE NURSERIES

ADDRESS LONDON ROAD PARISH WARGRAVE

PLOT No. ORD. SHEET No. SU 7977

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
03604	MR. E. JARVIS	GLASSHOUSES	27.11.75	N/A
BR 6711	"	"	7.5.76	REF.
09560	"	SHOP AGR. WORKERS DWG.	16.12.76	N/A
BR 10271	"	"	26.2.79	REF.
10137	"	"	15.3.79	N/A
12936	"	PART RETAIN SALES AS SHOP	10.4.80	N/A
14200	"	SITE LIC. FOR 2 CARAVAN	23.10.80	N/A 31.10 TP
14208	"	CARAVAN	23.10.80	N/A 31.10 TP
15027	"	RETAIL FARM SHOP WITH RESTR.	12.3.81	N/A
15028	"	GLASS HOUSE (37,000 SQ.FT)	12.3.81	N/A
16305	"	as 12936 but without compliance Cond. 2.	24.9.81	Min

DATE OF COMPLETION

MINISTRY DECISION 16305 - APPEAL GRANTED - 13.7.82

SPECIAL ORDERS SEC. 64 AGT. CONTAINERISED TREE NURSERY - FARMER - 27.10

DRAINAGE

091074

(2) TWYFORD FARM / SHOP / FLORAL MILE NURSERIES / PRIMROSE NURSERIES

ADDRESS LONDON ROAD PARISH WARGRAVE

PLOT No. ORD. SHEET No. SU 7977 (2)

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
17130	MR. J. JARVIS	SITE LIC. FOR CARAVAN	27.7.82	N/A TP 31.10.82
17248	"	RENEWAL 14208	27.7.82	N/A TP 31.10.
17599	"	REMOVE 3 SIGNS / ERECT 2	26.8.82	N/A REF
17625	"	½ ACRE FOR STORAGE OF CARAVANS	27.7.82	N/A REF
17899	"	REMOVE 3 SIGNS - ERECT 2	26.8.82	N/A REF
18728	"	CONT. USE OF FARM OFFICE INCL.	13.1.83	N/A REF
~~19104~~	~~MR. P. ROBINSON~~	~~AGR. & BUS. PREMISES & STORAGE CONTAINERS~~		
19104	MR. P. ROBINSON C/O	Erection of farm building Farm shop & accommodation	6.5.83	(SUB TO AGT) N/A
20027	R. Finson - Jarvis	"	22.9.83	N/A
20397	"	ERN PREMISES BLDG, SHOP, DWGS	5.1.84	N/A
BR22246	WAGGS "	"	10.4.84	APP N/A

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS INCREASE SIZE OF MOBILE SALES KIOSK - TWYFORD BUILT FARM - 27.6.90

DRAINAGE

091074

(3) TWYFORD FRUIT FARM / SHOP / FLORAL MILE NURSERIES / PRIMROSE NURSERY

ADDRESS LONDON ROAD PARISH WARGRAVE

PLOT No. ORD. SHEET No. SU. 7977(

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
21343	MR. E. JARVIS	O/BLDGS TO STORE ACC. AT NURSERY	8.5.84	N/A CIA
21344	JARVIS & ROBINSON	HORTICULT. GREENHOUSE (FRUIT FARM)	4.5.84	N/A CIA
22586	"	PART GREENHOUSE TO DEMOLITION	13.12.84	N/A RCE
BRA 424	JARVIS	BUNGALOW	19.3.86	APP N/A
27695	W/DR "			
BRA 343	"	"	22.1.87	APP
BRA 1471	* MR. P. READING - PRIMROSE NURSERY - S/S. EXTENSION		8.9.86	APP
28709	PRIMROSE NURSERY * "	SALE OF LOGS OCT. TO FEB	4.11.87	RE
28163	" * "	PART O/BLDG. TO CATTERY	4.11.87	PERSONAL APPL 30/11
2865	FLORAL MILE NURSERIES - MR. J. WILLMIN	EXT. TO BUNGALOW	4.11.87	CL
BRA 3459	" MR. J. WILLMIN	EXT TO BUNGALOW	13.8.87	APP
28764 *	MR. P. READING - PRIMROSE NURSERY - PART O/BLDG. TO SALE OF HORSE/PONY		4.11.87	REF

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS PRIMROSE NURSERY

DRAINAGE LEGAL AGREEMENT COMPLETED - O&A-S106 HIGHWAY WORKS - 28-5-90 -

091074 30610 " " LOG STORAGE OCT.-FEB 3.6.88 28.2.

1764

(3) TWYFORD FARM / SHOP / FLORAL MILE NURSERIES / PRIMROSE NURSERY

ADDRESS LONDON ROAD PARISH WARGRAVE

PLOT No. ORD. SHEET No. (28

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
31920 FMN			23.11.88	CE
BRA 6107	" J. WILLMIN	GARAGE	7.10.88	APP
33273	WAGES FARM SHOP N/P			
35904 APPEAL	MR. P READING/PRIMROSE NURSERY	NURSERY/NURSERY TO WORKSHOP (RETRO.)	22.8.90	RE
38351	J.M. WILLMIN FLORAL MILE NURSERIES -	NEW BUNGALOW C/HOUSE REDUNDANT AGR BLDGS. TO STORAGE GARAGES CARS.	13.12.91	30.1
39087 *	MR. P READING PRIMROSE NURSERY	REDUNDANT AGR AS WORKSHOP/STORAGE	13.5.92	3 yrs
39176	L. GANDER TWYFORD FARM SHOP	TEMP. OFFICE/STORAGE	22.6.92	3.6
39618 *	MR. A. STRAKER H.M. NURSERY	AGR. BARN. OBT. GLASS 2.9.93 MEMBS. REPL. WITH POLYTUNNEL		C

DATE OF COMPLETION

MINISTRY DECISION 35904 - APPEAL DISMISSED - 30.6.91

SPECIAL ORDERS 39087 CIA 3yrs NEGATES REQ. OF ENF ORDER ISSUED 22.1.92

DRAINAGE ANA IS NON W/DR - 24.7.92

1933

(4) TWYFORD FARM SHOP GR.

ADDRESS LONDON ROAD PARISH WARGRAVE

PLOT No. ORD. SHEET No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decisi
400037	MR L GANDER TWYFORD FARM SHOP	PARTIAL REBUILD L/H.	13.1.93	C
FP/92/0774	"	REINSTATE ROOF TIMBERS (DAMAGE BY FIRE)	9.10.92	CAPP
43193	J. WILLMIN	RENEWAL 3835/	10.10.94	T
	FLORAL MILE NURSERY			30.9
43940 *	MR P. READING PRIMROSE NURSERY	RENEWAL 3984	3.3.95	30.4
95/60029/TEM	"			
FP/94/3198	MR L JAMES TWYFORD	FARM SHOP - ACCOMM. AT REAR SHOP	9.1.95	APP
46732	J. WILLMIN FLORAL MILE NURSERY	- PARTIAL C/U/E - AGR. BLDG. A YARD TO DAIRY	22.11.95	30.11.96 T
95/60082/F	J. WILLMIN (RETRO)	REACT		
95/63187/F	HARE HATCH NURSERY	BARN FOR HOME USE BUNGALOW	RT 9.9.96 N/P 15.11.96	CL

MINISTRY DECISION

SPECIAL ORDERS

(6) ADDRESS TWYFORD FARM SHOP ETC PARISH WARGRAVE

PLOT No. LONDON ROAD ORD. SHEET No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decisio
96/63348/A	BOB PULLINGER SIGNS 3	NON-ILL. SIGNS FOR HARE HATCH NURSERY	11.4.96	2 SIGNS C 1 SIGN R
96/63919/A	CURTIS & LEACH HARE	HATCH NURSERY BOARD SIGN	24.7.96	CL
96/64410/F	J.H. WILLMIN THE NEW	BUNGALOW (RENEWAL 32)	21.11.96	30.11.
96/64569/A	APPEAL *MR P. READING PRIMROSE	NURSERY 2 SIGN BOARDS	4.12.96	RE
96/64693/F	GLORIOUS GARDENS LTD R/O (RETRO)	TWYFORD FARM SHOP POLY TUNNEL	14.1.97	CL
97/65051/F	J. WILLMIN THE NEW	BUNGALOW - C/U/E REDUNDANT FARM BLDG. TO ORDINARY WORKSHOP	17.4.97	30.4.0

DATE OF COMPLETION

MINISTRY DECISION

SPECIAL ORDERS

DRAINAGE

091074

1933

(7) TWYFORD FARM SHOP / FLORA MILL NURSERIES / PRIMROSE NURSERY

ADDRESS LONDON ROAD PARISH WARGRAVE

PLOT No. ORD. SHEET No.

BUILDER

Plan No.	Applicant		Description of Development	Date of Decision	Decisi
97/65863/F	S. WILMAN	THE NEW FLORA MILL NURSERIES	BUNGALOW-C/O/USE BLDG TO MEDIC WORKSHOP	B1(c) 15.8.97	CL
97/65909/F		PRIMROSE NURSERY			
97/65940/F	MR P. READING	"	" NEW TENANT-CONTI-43940	15-8-97	CL
97/65947/F	"	"	" 5 POLYTUNNELS	29-8-97	CL
97/66143/T	M. COLLINS	"	" PAK AS HSH LARDY ETC.	17.10.97	31.10
97/66297/F	SCOTT/LEACH	HARE HATCH	" GREEN/HOUSES	31.10.97	CL
97/66642/F		PRIMROSE	COU. GARAGE/STORE/WORKSHOP	24.12.97	PL
98/68711/F	J.H. WILLMIN		COFUSE AGR. BUILD. TO WORKSHOP FOR TWYFORD MOWER SERVICES LTD.	17.03.99	CL
98/68712/F	"	C. of U. to Wk Sh/Office	(Reading) Ltd (Retail)	23.3.99	CL
99/69581/T	R.S. Underpinning & Piling		T. C. of U. of Bldg - Horticultural	18.10.99	CL

MINISTRY DECISION (New Bungalow) to Storage & Office Use

99/70381/T	J H WILLMIN	- Renew T.P-64410 - C. of U. Ag to Dairy Depot	19.1.00	CL
99/70391/F	"	C. of U. - Part Ag. Bldg B1(c) Use	19.1.00	CL

(7) 1933 TWYFORD FARM SHOP ETC.

ADDRESS LONDON ROAD PARISH WARGRAVE

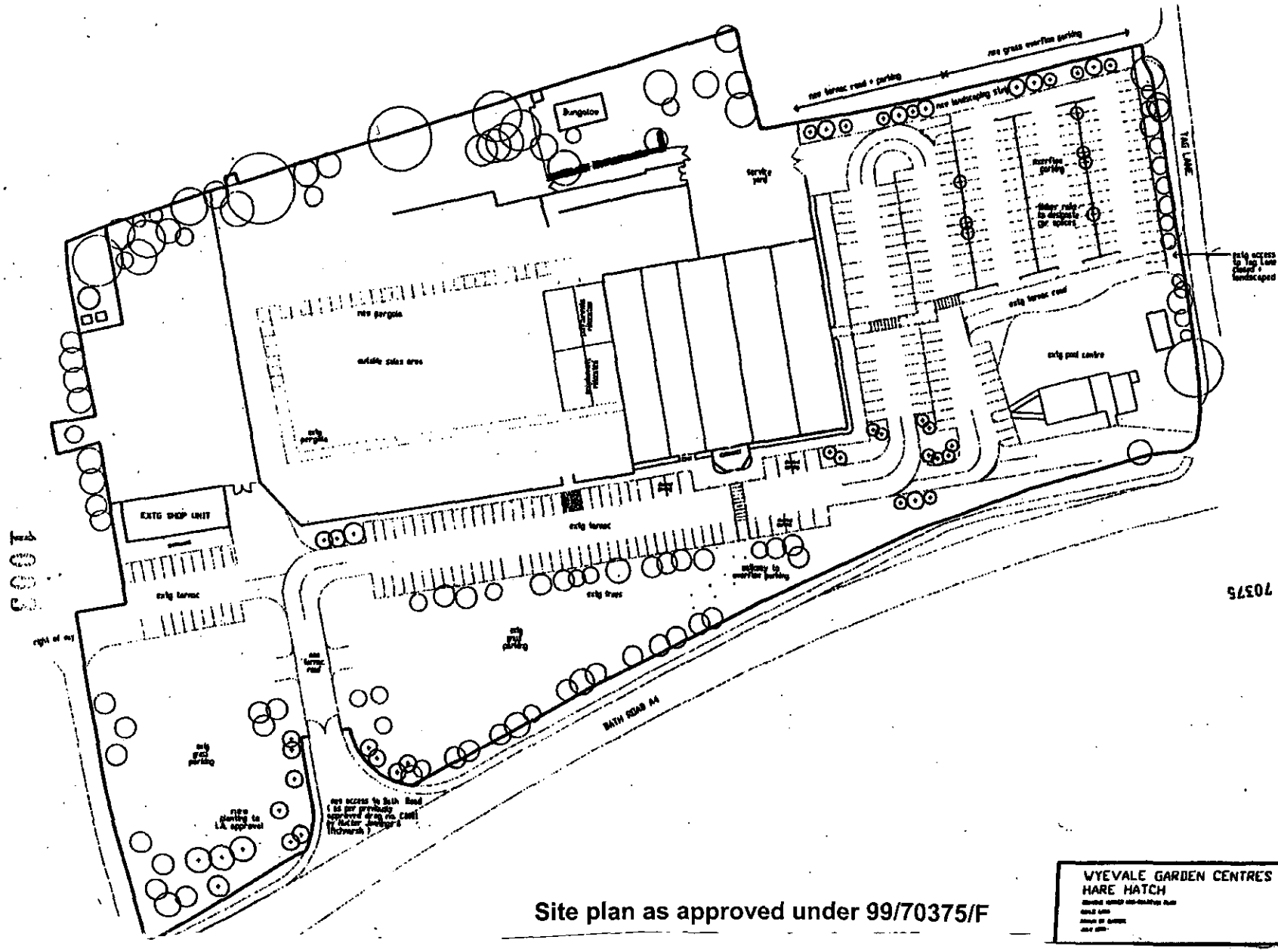
PLOT No ORD. SHEET No.

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
F/2000/0308	Countrywide Farmple	erection of Warehouse & Security fencing		

MINISTRY DECISION

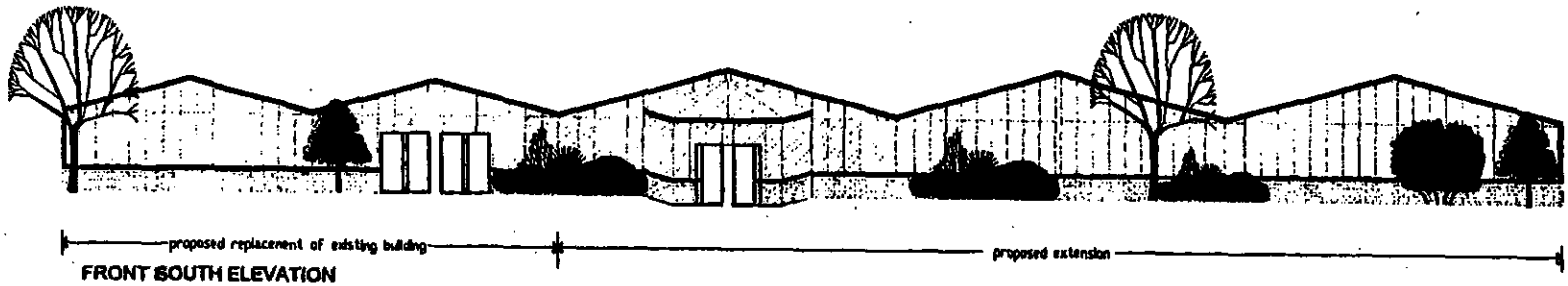
SPECIAL ORDERS



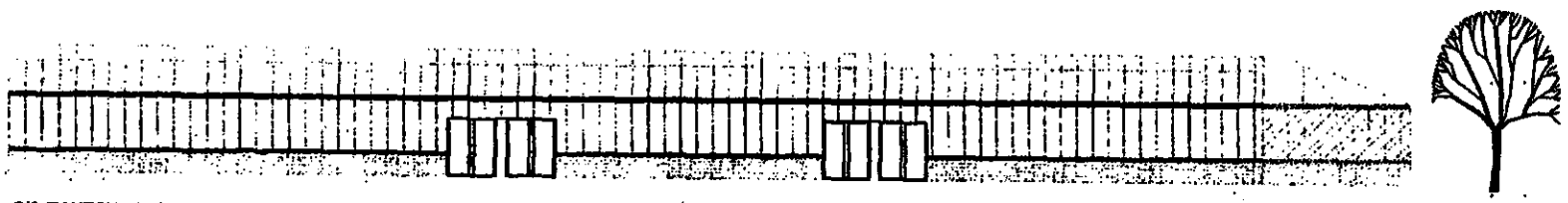
Site plan as approved under 99/70375/F

WYEVALE GARDEN CENTRES plc
HARE HATCH

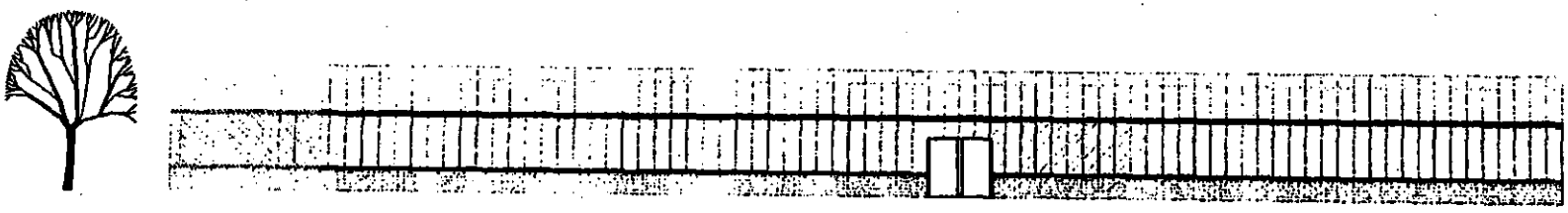
Site plan as proposed



FRONT SOUTH ELEVATION



SIDE WEST ELEVATION



SIDE EAST ELEVATION

26 AUG 1999 70375

Elevations as approved under 99/70375/F

WYEVALE GARDEN CENTRES plc
HARE HATCH
DRAWING NUMBER HHA-004.REV01 ELEVATIONS
SCALE 1:100
DRAWN BY D.MOORE
JULY 1999

SOUTHPORT U.K. X SYSTEMS LTD

APPLICATION NO.1164

Name of appellant:
Kennedy Garden Centres Ltd

Site address:Wyevale Garden Centre, Floral Mile, Hare Hatch

Proposal:Proposed redevelopment of garden centre. (Amndment to consent 99/70375/F)

Case Officer:ME

Appeal Decision

Inquiry held on 07 March 2001

The Planning Inspectorate
Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

by Peter F Jamieson
CEng MICE MIHT MIMgt MRTPI

an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions

Date
22 MAR 2001

Appeal Ref: APP/X0360/A/00/1053278
Wyevale Garden Centre, Bath Road, Hare Hatch, Reading, Berks

- **The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to** grant planning permission.
- The appeal is made by Kennedy Garden Centres Ltd against the decision of Wokingham District Council.
- The application (ref: F/2000/1164), dated 31 March 2000, was refused by notice dated 19 July 2000.
- The development proposed is revised elevations to a garden centre building.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. Planning permission was granted on 1 February 2000 for the erection of replacement buildings at the appeal site (ref: 99/7035/F). Construction of these buildings has commenced and three out of five glasshouses have been erected. These glasshouses have not, however, been constructed in accordance with the approved plans. The appeal proposal is in respect of a planning application to regularise this situation by way of a retrospective application to retain the completed buildings and a prospective application to enable the remaining buildings to be similar to those newly erected.

2. As far as the retention of the three glasshouses is concerned, I shall consider this appeal as one made under Section 73A(2)(a) of the 1990 Act.

3. The appeal site lies within the Metropolitan Green Belt.

4. It was agreed at the outset of the inquiry that the issue of glazing materials in the glasshouses was no longer a matter of contention.

Main Issues

5. I consider it necessary to determine this appeal on the basis of a new development in the Green Belt, with the earlier planning permission as a fall-back position. The main issues in this case are thus:-

   i) whether the proposal is inappropriate development in the Green Belt and if so whether there are any very special circumstance that would overcome the presumption against such development,

   ii) the impact of the additional size of the glasshouses on the character of the area and on the openness of the Green Belt.

Planning Policy

6. The development plan for the area comprises the Berkshire Structure Plan 1991-2006 and

the Green Belt Local Plan for Berkshire (1985). It was agreed that the latter does not provide any significant assistance in this case and that the key development plan policy is Structure Plan Policy C4. I concur with this. Policy C4, in common with PPG2, includes a presumption against inappropriate development in the Metropolitan Green Belt.

7. Reference was also made to the emerging Wokingham District Local Plan, which is at an advanced stage in the adoption process. The relevant policy here is Policy WGB1, which is similar in content to Policy C4 and to Planning Policy Guidance on Green Belts (PPG2).

Reasons

Inappropriate Development

8. There is no disagreement that the proposed development would be inappropriate development in the Green Belt as defined in PPG2. It follows that the proposals would not comply with the categories of development listed in Policy C4. Unless very special circumstances are found to exist, therefore, the proposals would be in conflict with Policy C4. There is agreement that the development would not compromise any of the purposes of including land in the Green Belt as listed in paragraph 1.5 of PPG2, which is a further requirement of Policy C4.

Very Special Circumstances

9. The fact that the garden centre has been on this site for many years and a recent planning permission granted for a development of similar style to that built/proposed are factors which weigh in favour of the proposal.

10. The appellant acknowledged that a likely outcome of a dismissal of this appeal could be the demolition of the three glasshouses erected contrary to the approved plans. Since this would result in wasted resources, in terms of cost and materials, it was argued that this would conflict with the objectives of Structure Plan Policy LD1 and emerging Local Plan Policy WOS1, both of which seek to conserve natural resources. Although I recognise the potential for wasted resources in such a situation, I consider such a justification to be unacceptable and one that could set an undesirable precedent.

11. In considering the previous planning application, the Council took into account the very special circumstances applicable at that time. These included the improved access arrangements, the consolidation of scattered buildings on the site and the removal of the tall parabolic building. These benefits were seen to outweigh any harm caused by the development proposed in 99/7035/F. Since these benefits were secured by the earlier scheme, they cannot be recycled for consideration against the present proposals.

12. Other potential very special circumstances cited are, in my view, matters relating to the impact on the Green Belt of the proposed development, compared with that of the approved scheme and these will be dealt with later. It is clear, however, that there are considerations that need to be taken into account in this appeal, but these must be judged against any harm arising from the development.

Impact on the Green Belt

13. Policy C4 requires development to be acceptable in scale, form, impact, character and siting. The Council conceded that scale and impact are the only issues in contention. The

approved scheme comprises five glasshouses with ridge heights of about 4.2 and 4.7 metres and valley heights of about 3.0 metres. The three glasshouses now erected are 5.8 and 6.4 metres high with valley heights of 3.9 metres. It is proposed that the heights of the two remaining glasshouses should be the same as those already erected. The increase in height over and above the approved development is/would be 1.6 to 1.7 metres. The floor area as approved is 2530 sq m compared with a proposed total of 2818 sq m.

14. There is a significant amount of development surrounding the glasshouses, both on the garden centre site itself and elsewhere in the vicinity. Although within the Green Belt, the site is not open countryside and the Council accepted this distinction. I have consequently assessed the impact of the existing and proposed glasshouses in the light of the neighbouring development.

15. From my observations of the site and its surroundings, it is apparent that the glasshouses have the greatest impact when viewed from Bath Road, to the south east of the appeal site. From this viewpoint, I found the building to be particularly dominant and visually intrusive. The wide expanse of the building frontage at such a height appears urban in nature and detrimental to the character of this rural area. Since the appeal proposals are some 36% or so higher than the approved scheme, the overall impact is likely to be considerably greater in the present situation than would have been the case with the approved scheme. If the buildings were at the approved lower height, the bank of trees now visible above the roof line would be much more prominent, thereby reinforcing the rural nature of the surroundings. Although the buildings totally obscure any views of the open fields to the north, this would be equally true in the fall-back position.

16. The openness of the Green Belt is a function of the extent of the development and its impact on the space remaining around and above it. In this case, I find the revised elevations to have a significantly greater and more damaging impact on these factors than would the fall-back position.

17. My attention was drawn to the adjacent Mabey House and to the barn at Hare Hatch Nurseries, both of which are higher than the existing/proposed glasshouses. However, these buildings have substantially lesser frontages than have the glasshouses and at a greater distance back from Bath Road. Their overall impact on the area is consequently much less.

18. Additional landscaping was offered as a means of reducing the impact of the buildings. There is extensive frontage planting at the western end of the site and this partially screens views of the glasshouses from Bath Road. Although further planting would be likely to soften the views from the south east, it would not overcome the fundamental impact on the openness of the Green Belt. The revised elevations are symmetrical in layout with the two lower sections at the outer extremes. I agree that this would create a more pleasing appearance than that of the approved asymmetrical arrangement. However, I do not agree that this would in any way reduce the impact of the increased height of the structure.

19. Although the floor area of the appeal scheme is 12% greater than that as approved, the front elevation is only marginally longer. It is the latter dimension that is critical to the impact of the glasshouses. Consequently I do not find the increase in area to be of any significant detriment. Reference was also made to an appeal decision at Baddesley Clinton, where an increase in height and width of the dwelling was found to be of no significantly greater harm than the house as approved. Since I have found the opposite to apply in this case, the two cases are clearly dissimilar.

20. I conclude on this issue that the revised elevations are/would be unacceptable in scale and impact on the character of this location and detrimental to the openness of the Green Belt. In these respects the proposals are in conflict with Policy C4 and with PPG2.

Conclusions

21. I find the factors in favour of the development to be insufficient to overcome the harm caused by the increased height of the revised elevations compared with the fall-back position of the approved scheme (99/7035/F). I conclude, therefore, that there are no very special circumstances sufficient to outweigh the harm by reason of inappropriateness and other identified harm to the Green Belt. The retention/completion of the revised elevations would thus be contrary to Structure Plan Policy C4, emerging Local Plan Policy WGB1 and national policy guidance contained in PPG2.

22. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

23. In exercise of the powers transferred to me, I dismiss the appeal.

Information

24. Particulars of the right of appeal against this decision to the High Court are enclosed for those concerned.



INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Anthony Dinkin QC	Instructed by Malcolm Scott Consultants Ltd
He called:	
Helen Scott	Malcolm Scott Consultants Ltd
BA(Hons) DipTP MRTPI	Agents for the appellant

FOR THE LOCAL PLANNING AUTHORITY:

The Hon Mary Macpherson	Of counsel, instructed by Mrs M Savarin of Wokingham DC
She called:	
Mike Evans	Wokingham DC
BA MA MPhil DipTP	

DOCUMENTS

Document	1	List of persons present at the Inquiry.
Document	2	Council's letter of notification of the inquiry and list of persons notified
Document	3	Appendices to Mr Evans' proof of evidence
Document	4	Bundle of copy documents submitted by the Council
Document	5	Appendices to Mrs Scott's proof of evidence
Document	6	Copy correspondence submitted by the appellant
Document	7	Revised table of comparative dimensions submitted by the appellant
Document	8	Copy of decision letter for appeal at Baddesley Clinton
Document	9	List of draft conditions submitted by the Council

PLANS

Plan	A1-A3	Application plans
Plan	B	Location plan
Plan	C	Green Belt
Plan	D	Overlay of approved scheme and appeal scheme

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Refusal of Permission

Kennedy Garden Centres Ltd
Kings Acre Road
Hereford
HR4 OSE

Application Number: F/2000/1164

Parish: **WARGRAVE**

Location: **Wyevale Garden Centre, Bath Road, Hare Hatch, Reading.**

Proposal: **Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)**

The Wokingham District Council in pursuance of their powers under the above Acts and Regulations hereby **Refuse Permission** for carrying out the above development in accordance with the application and the accompanying plans submitted to the Council subject to compliance with the following conditions, the reasons for which are specified hereunder.

Reason

1. The proposed building, by reason of its increased height, mass and bulk would result in a visually intrusive form of development, detrimental to the open character of the Green Belt. As such, it represents an inappropriate form of development in the Green Belt. The proposal is contrary to Policy I of the Green Belt Local Plan for Berkshire, Policy C4 of the Berkshire Structure Plan and Policy WGB1 of the Wokingham District Local Plan (Deposit Draft) as modified.

John Mitchell
Development Control Manager
Date: 19/07/2000

If this notice grants permission to proceed with the proposal the applicant is reminded that it relates to planning permission only and does not constitute approval under any other legislation including Building Regulations.

The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9876079
Switchboard 0117-9878000
Fax No 0117-9878443
GTN 1374-6079

Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: C0053

Our Ref: APP/X0360/A/00/1053278

Date: 22 March 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY KENNEDY GARDEN CENTRES LTD
SITE AT WYEVALE GARDEN CENTRE, BATH ROAD, HARE HATCH, READING

I enclose a copy of our Inspector's decision on the above appeal.

If you have any queries relating to the decision please send them to:

4-1531

The Complaints Officer
The Planning Inspectorate
Room 14/04
Tollgate House
Houlton Street
Bristol
BS2 9DJ

DB

Phone No. 0117 987 8927 Fax No. 0117 987 6219

Yours faithfully

Miss A Groves

COVERDL1

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON WEDNESDAY 19 JULY 2000 FROM 7 00 PM TO 9.55 PM

Present: Mrs D.C. Beatty, Mr. M.J Bryant, Mr. T.P Dredge, Mr. J.L. Earnshaw, Mrs J.A Lissaman, Mrs M.A. Long, Mr. K.A. Malvern, Mrs. M. Robertson, and Fiona Rolls.

Also present under Standing Order 39: Mr. F.D Browne, Mr. G. Cowan, Simon. Etheridge and Mr. A.J.Ross

64. CHAIRMAN

RESOLVED: That Mr. K.A Malvern be elected Chairman of the Committee for the 2000/2001 Municipal Year.

65. VICE-CHAIRMAN

RESOLVED: That Mrs J.A Lissaman be elected Vice-Chairman of the Committee for the 2000/2001 Municipal Year.

66. ORDER OF BUSINESS

With the agreement of the Committee, the order of business was varied so that those applications where members of the public had indicated a wish to speak could be dealt with first.

67. MINUTES

The Minutes of the meeting of the Committee held on 28 June 2000 were confirmed as a correct record and signed by the Chairman.

68. APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr. S.J.Conway, Mr. R.F.N.Eke and Mr. B.J.S Patman.

Mr. F.D Brown, a local Member attended the meeting and spoke in favour of taking enforcement action.

During consideration of the report Members expressed the view that any possible enforcement action should be balanced between acting promptly, whilst remaining reasonable in actions towards the site owners.

RESOLVED: That approval be given to the pursuing of Option Two as follows:-

(i) Await the expiration of 6 months in order to establish if the applicants are to appeal.

(ii) Deal with any subsequent appeal and await the outcome. Take enforcement action should appeal be dismissed.

(iii) Proceed with enforcement action if the 6 months expires without an appeal being lodged.

89. APPLICATION NO 2000/1164, KENNEDYS GARDEN CENTRE, BATH ROAD WARGRAVE

The Committee considered a report (Agenda pages 733 to 734) which advised Members of possible enforcement action options in respect of the above site.

Members were reminded that this application had been considered and refused at the meeting of 28th June 2000. Members had refused the application on the grounds of its unacceptable impact upon the openness and rural character of the Green Belt. This report considered options available for Members in respect of enforcement action.

6.00 KENNEDYS GARDEN CENTRE, BATH ROAD, WARGRAVE

Purpose of Report

6.01 To advise Members of the options in respect of possible enforcement action in respect of the above site.

Suggested Action

6.02 That Members consider whether it is expedient to take enforcement action and agree a suitable course of action in the light of the options set out below.

Background Information

6.03 Members will recall that planning application ref. 2000/1164 was considered at Development Control Committee on 28 June 2000. Members decided to refuse the application on the grounds of its unacceptable impact upon the openness and rural character of the Green Belt. This was contrary to the officers recommendation. For this reason it was agreed that a report should come back for consideration of possible ways forward in respect of enforcement. Three options are put forward and Members are invited to consider these options as set out below. In each case Officers consider that the applicant should be asked in writing of his future intentions.

6.04 1) Take no enforcement action.

2) Await the expiration of 6 months in order to establish if the applicants are to appeal. (a) Deal with any subsequent appeal and await the outcome. Take enforcement action should the appeal be dismissed. (b) Proceed with enforcement action if the 6 months expires without an appeal being lodged.

3) Take immediate action by serving an enforcement notice. Once served, the applicants have 28 days within which to comply or appeal. Compliance would involve reducing the height to that previously approved. If the latter course of action were taken, the planning and enforcement appeals would be dealt with concurrently. Await the outcome.

6.05 The first option is deemed to be unacceptable in light of the refusal and the partial retrospective nature of the application.
The second option would allow the planning issues to be determined prior to enforcement action being taken.
The third option would ensure that action is taken immediately and allow the issues to be dealt with together.

Officers are of the opinion that option 2 would be the most appropriate as this would give the applicant the opportunity to come froward with an alternative scheme or to voluntarily remedy the breach of control.

Equal Opportunities Implications

6.06 None.

Consultation with Parish and Town Councils/Voluntary Sector Organisations

6.07 None. The above bodies were consulted on the original application.

Financial Implications

6.08 If an enforcement notice should be served and an appeal subsequently made, there would be the financial implications common to such action and appeals.

Environmental / Community Safety Implications

6.09 None.

Time Constraints

6.10 Agreement needs to be reached in order to instigate enforcement proceedings if this is the option chosen by Members.

Background Papers	Department Where Held
Planning application 2000/1164	Environmental Services

Heather Morgan

TOWN AND COUNTRY PLANNING ACT 1990

PUBLIC INQUIRY

At

Council Offices, Shute End, Wokingham, Berkshire,

On Wednesday, 7 March 2001 at 10:00am

REASON FOR INQUIRY

Appeal by Kennedy Garden Centres Ltd

Relating to the application to Wokingham District Council

for Proposed redevelopment of garden centre (amendment to consent 99/70375/f).

AT Wyevale Garden Centre, Bath Road, Hare Hatch, Reading

An Inspector appointed by the Secretary of State for the Environment, Transport and the Regions under paragraph 1(1) of schedule 6 to the Town and Country Planning Act 1990 will attend at the place, date and time shown above to decide the appeal.

Members of the public may attend the inquiry and, at the Inspector's discretion, express their views. If you, or anyone you know has a disability and is concerned about facilities at the inquiry venue, you should contact the council to confirm that suitable provisions are in place.

Planning Inspectorate Reference: APP/X0360/A/00/1053278
Contact point at the Planning Inspectorate: Miss A Groves, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ Tel: 0117-9876079.

320(BPR)

Malcolm Scott

CONSULTANTS LTD

39426

PLANNING
POL
DC MDE
CS

By fax only 0118 974 6103

C0053/HFS/TH

Chief Planning Officer
Environmental Services Department
Planning Services
Wokingham District Council
PO Box 157
Shute End
Wokingham
Berkshire RG40 1WR

for the attention of Mr M Evans 30 January 2001

Dear Sir

KENNEDYS GARDEN CENTRE, FLORAL MILE, HARE HATCH, TWYFORD, NR READING: APPEAL REFERENCE: APP/XO360/A/00/1053278

I refer to my recent telephone conversation with Mr Evans in connection with the above.

* Please find enclosed for your consideration and confirmation

1. draft Statement of Common Ground prepared in accordance with Rule 15 of the Town & Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000

2. draft conditions should the appeal be allowed.

I look forward to hearing from you at your early convenience. You will be aware that the due date for the Statement is 8 February 2001.

Yours faithfully
for MALCOLM SCOTT CONSULTANTS LTD.,

Helen F Scott

HELEN SCOTT (3001WDC)

cc: Mr S Cooper, Wyevale Garden Centres plc
Counsel

REGISTERED OFFICE:
MALCOLM SCOTT CONSULTANTS LTD
GROVE HOUSE, 1 LOWER GROVE
WORCESTER WR1 3SU UK
TEL: (+44) 01905 726393
FAX: (+44) 01905 611221
e-mail ms.consultants@virgin.net
REGISTRATION NO: 1863131

DIRECTORS: MALCOLM W G SCOTT DipTP MA MRTPI ALI HELEN F SCOTT BHP(Hons) Dip TP MRTPI CHRISTOPHER PRIMETT BA (Hons) MTp MRTPI MSMC

ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE DESIGN
TOWN PLANNING

DRAFT

Our Ref C0053/HFS

Department of the Environment
Ref: APP/X0360/A/00/1053278

WYEVALE GARDEN CENTRE
FLORAL MILE, HARE HATCH
TWYFORD, NR READING
BERKSHIRE RG10 9SW

APPEALS BY
Kennedy Garden Centres Ltd
Kings Acre Road
Hereford HR4 0SE

Statement of Common Ground under Rule 15 of the
Town & Country Planning Appeals (Determination by Inspectors)
(Inquiries Procedure) (England) Rules 2000

1. INTRODUCTION

1.1 The purpose of this statement is to set out the matters agreed by the appellants and Wokingham District Council.

2. THE APPEAL SITE

2.1 Site Area

3.6ha.

2.2 Location

To the north of the A4 approximately midway between settlements of Reading and Maidenhead to the west of Hare Hatch.

2.3 Land Use

Garden centre.

2.4 Development on Site

Several substantial retail structures areas of hardstanding for outdoor display and sales, containing covered walkways, garden buildings and numerous sales beds, and areas of car parking and landscaping.

3. RELEVANT PLANNING PERMISSIONS

3.1 LPA reference 97/65329/F

3.1.1 Decision date

2 July 1999

3.1.2 Description of Development

Proposed erection of two glass houses extension to existing car park plus alterations to access.

3.1.3 Approved drawings

Powell Design Partnership drawings:

i) Revision D Site Plan as Proposed (18 October 1996) (revised plan received by WDC 19 June 1997

ii) Revision A Site Survey Plan as Existing (9 October 1996) (Revised drawing received by WDC 19 June 1997)

iii) Scheme B Elevations (25 January 1997)

iv) Plan as Proposed (18 October 1996)

3.2 LPA reference 99/70375/F

3.2.1 Decision Date
1 February 2000

3.2.2 Description of Development
Proposed erection of replacement buildings at centre (amendment to approval 97/65329/F)

3.2.3 Approved Drawings

I) Location Plan

ii) HHA-004.REV01 ELEVATIONS (July 1999)

iii) HHA-004.REV01 PLAN (July 1999)

3.2.4 Landscape drawing approved pursuant to condition 05
Anthony Jellard Associates' drawing 2014/5/01 revision A Landscape Proposals (February 2000).

3.2.5 Materials approved pursuant to condition 02

Brick Plinths - Ibstock Cattybrook Brunswick Red
Walls - Thermoclear sheet opal
Roof - North, east and west elevations - Thermoclear sheet opal
Roof - South elevation - Thermoclear sheet opaque
Roof over aquatics, kitchen and restaurants areas only - Syntha Pulmin Plus RAL 2006 by HB fuller coatings.

3.2.6 Materials subsequently approved by the LPA
The eastern elevation was constructed in Thermoclear sheet opal as approved. However the Local Planning Authority considered the walls should be more transparent. The appellants were requested to

construct the eastern elevation in clear polycarbonate, which they duly did.

4. THE APPEAL

4.1 LPA Reference

F/2000/1164

4.2 Decision Date

19 July 2000

4.3 Description of Development

Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)

4.4 Reason for Refusal

The proposed building, by reason of its increased height, mass and bulk would result in a visually intrusive form of development, detrimental to the open character of the Green Belt. As such, it represents an inappropriate form of development in the Green belt. The proposal is contrary to Policy 1 of the Green Belt Local Plan for Berkshire, Policy C4 of the Berkshire Structure Plan and Policy WGB1 of the Wokingham District Local Plan (Deposit Draft) as modified

4.5 The Main Issue

The Development Control Manager at Woking District Council has confirmed in a letter dated 20 October 2000 his agreement that:

> *"Notwithstanding that the refusal refers to "height, mass and bulk", the Reports and correspondence make clear that from the Council's point of view the objection is in reality based solely on the height of the buildings. The Council's concern is as to the openness of the Green Belt. There is no issue regarding design (apart from height) or materials or landscaping."*

4.6 Appeal Drawings

i) Location Plan

ii) Hollins' drawing 99148/10 revision B Proposed Elevations (March 2000)

4.7 The relationship of the footprints of the development approved under 99/70375/F and the appeal proposals is as shown on the attached drawing C0053 SK/06.

4.8 Heights of glasshouses approved under planning permission 99/70375/F

4.7 and 4.2 to ridge

4.9 Heights of appeal glasshouses

6.4 and 5.8 to ridge

5. THE DEVELOPMENT PLAN

5.1 Structure Plan

Berkshire Structure Plan 1991-2006.

5.2 Local Plan

Berkshire County Council Green Belt Local Plan 1986.

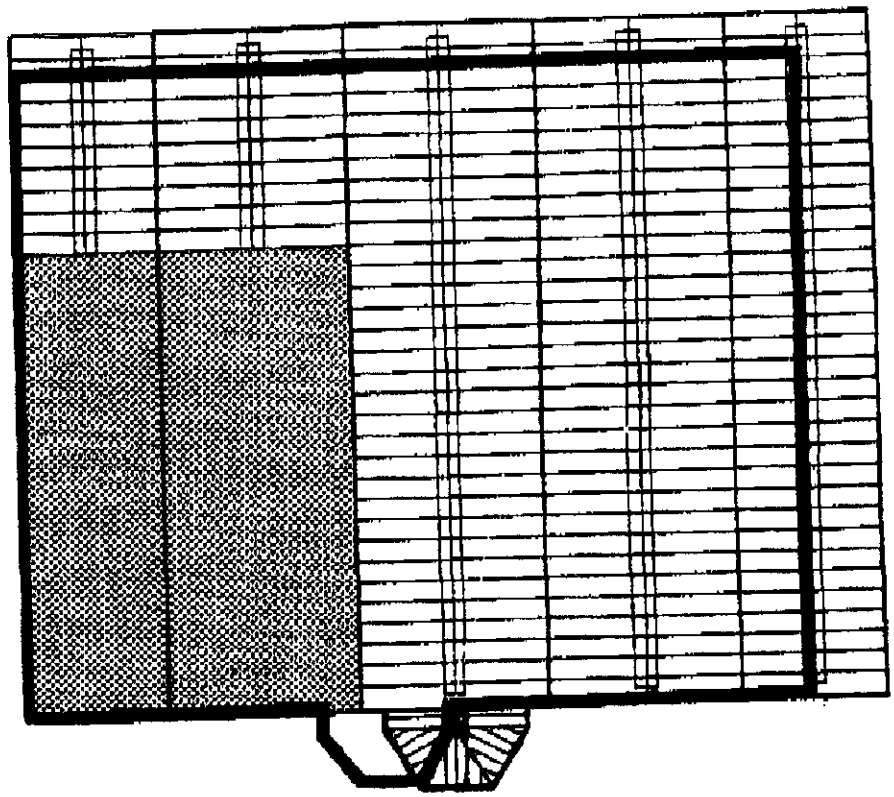
5.3 Emerging Local Plan

Wokingham District Local Plan Deposit Draft February 2000.

5.4 Development Plan Designation

The appeal site lies within the Green Belt

C0053/TH/th
29 January 2001
(cmngmd2)



N

LEGEND

Planning Permission 99/70375

Appeal Development as Built

Appeal Development Unbuilt

Wyevale Garden Centre, Hare Hatch Footpaths

scale 1:500 Date: January 2001 Dwg no C6053 SK/01

© Malcolm Scott Consultants Ltd 2001

Malcolm Scott

CONSULTANTS LTD

DETR REF: APP/X0360/A/00/1053278
WYEVALE GARDEN CENTRE, FLORAL MILE, HARE HATCH TWFORD, NR READING, BERKSHIRE, RG10 9SW
APPEAL BY KENNEDY GARDEN CENTRES LTD, KINGS ACRE ROAD, HEREFORD, HR4 0SE

DRAFT

Schedule of Proposed Conditions

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission

reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990.

2. The materials to be used in the construction of the unimplemented part of the development hereby permitted shall match those used in the implemented part of the development hereby approved.

reason: In the interests of visual amenity.

3. Construction works of any sort shall only take place within the area covered by the application between the hours of 0700 and 1900 Monday to Friday and 0700 and 1330 Saturdays and no construction works shall take place on Sundays or Bank Holidays.

reason: In the interests of residential amenity.

4. Provision should be made to accommodate all site operatives' visitors' and construction vehicles loading, off-loading, parking and turning within the site during the construction period in accordance with details to be submitted to and approved in writing by the Local Planning Authority. prior to the commencement of development.

reason: In the interests of highway safety and convenience.

5. Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on the adjacent public highways in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

reason: In the interests of highway safety and convenience.

6. Prior to the commencement of the unimplemented part of the development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include means of enclosure, hardsurfacing materials and associated structures.

reason: In the interests of the character and amenities of the locality

7. Soft landscaping works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment); schedule of plants, noting species, plant size and proposed number/ densities where appropriate; implementation and maintenance programme.

reason: In the interests of the character and amenities of the locality.

8. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out within one planting season of the granting of this permission.

reason: In the interests of the character and amenities of the locality

C0053/TH/th
30 January 2001
(drfcond2)

Application No.	Received	Wargrave
F/2000/1164	4/4/00	

Location : Kennedys Garden Centre, Bath Road, Wargrave
Proposal : Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)

1. **Planning History** - The site is a long established garden centre including farm shop, pet food shop and swimming pool sales area. Substantial extensions were refused in 1990 (Ref. 34830) due to conflict with Green Belt policy and highway concerns. A later application in 1992 (39452) gained a resolution for approval subject to a legal agreement to achieve highway improvements. This agreement was never signed. In July 1997 the Environmental Services Committee resolved that application 39452 be withdrawn, or if the legal agreement was not completed within 8 weeks of that committee the application be refused. The application was subsequently withdrawn. A further application was received in March 1997 for the proposed erection of two glass houses, extension to existing car park and alterations to access (Ref. 97/65329/F). This was deemed acceptable because the consolidation of scattered small buildings improved visual amenity and there were highway benefits in terms of the new access and the closure of the Tag Lane access/egress points. This application was approved, subject to a legal agreement by the Development Control Sub Committee on 6 August 1997 and the permission issued on 2 July 1999. A subsequent application was submitted (99/70375/F) which sought to provide a consolidating extension by removing the parabolic roofed building and 'squaring off' the green house structure. This application was considered at Development Control Sub-Committee on 24th November 1999 and a permission was issued on 2 February 2000 subsequent to the signing of a S106 agreement. The works in the agreement related to the closure of the Tag Lane entrance and the construction of a new access off the Bath Road. These works have been completed. A revised S 106 is deemed necessary in order to ensure the closure of Tag Lane continues to be enforced.

2. **Proposal** – seeks partial retrospective approval for a garden centre. This application is identical to the scheme approved under 99/70375/F with the exception of height. As approved, the ridge height of the glasshouse was 4.7m. As currently under construction, the 3 central ridges would be 6.4m and the 2 outer ridges 5.8m. The revised access arrangements approved under 99/70375/F have been implemented in full.

3. **Consultations** -
   - ***Hare Hatch and Kiln Green Residents Association*** – (1) The buildings are 2m higher than approved which has an adverse impact on the surrounding Green Belt. The development now looks more like a warehouse than a light weight glasshouse. The higher structure shows a disregard for the planning process. (2) the overflow carpark is gravel and not grass as approved. (3) the development commenced before the access road was built. (4) details of landscaping have not been agreed.

- ***Highways*** – No objections on the basis there is no increase in floor area or changes to the access/servicing.
- ***Trees and landscape*** – Site is located within the Green Belt and adjacent to a Green Route enhancement zone. The proposed replacement is larger and extends towards the narrower part of the site. The visual impact of the building and the increased car parking will be higher and therefore a comprehensive landscaping scheme should be submitted.
- ***Wargrave Parish Council*** – Object to the height and mass of the structure in the Green Belt. The Parish Council would like to question the type of materials used. Would request that the original consent is enforced. Query whether the car parking has been constructed as per the approved plans.
- ***Consultation letters*** – 3 letters prior to submission of applications, 3 letters of objection as a result of the consultation process (1) higher structure is more obtrusive and detrimental to the Green Belt (2) concerned at retrospective nature of the application (3) opaque glass provides a more industrial appearance (4) opportunity to create a roundabout has been lost.

4. **Appraisal** – The main issues are:

   A. Impact upon the Metropolitan Green Belt (Berkshire Structure Plan Policy C4, Green Belt Local Plan for Berkshire Policy 1 and 21, Wokingham District Local Plan (Deposit Draft) as modified Policies WOS2, WGB1).

   B. Impact upon the streetscene (Berkshire Structure Plan Policy EN1; Wokingham District Local Plan (Deposit Draft) as modified Policies WOS3, WBE1).

   C. Concerns of residents, Wargrave Parish Council and Hare Hatch and Kiln Green Residents Association.

A. Impact on the Green Belt

The principle of redevelopment of the garden centres has been established by previous permissions, most notably 99/70375/F. The current proposal seeks permission for an increase in the height of the garden centre, which is partially under construction.
As approved (gables) – 4.7m
As proposed (central gables) – 6.4m (1.7m difference).
As proposed (end gables) – 5.8m (1.1m difference).
The pertinent issue therefore is the visual impact of the revised garden centre on the open/rural character of the Green Belt. All the previous proposals for redevelopment resulted in a structure lesser in height than existing. On this basis, such schemes were deemed to be a material improvement over the existing situation. The current proposal would result in a structure greater in height and therefore a careful assessment has to be made of the additional impact of the height on the adjoining Green Belt.

The garden centre is located some 30m from the road frontage, Bath Road. The front of the garden centre lies a substantial depth of soft landscaping

which is to be supplemented by additional planting. The applicants have provided a full landscape scheme as part of the current application and have indicated that substantial planting will be provided. Whilst the garden centre structure will undoubtedly be higher than approved, the building itself comprises 5 gable fronted elements. The increase in height is therefore less than if the structure had had one ridge line running east/west. The design is also such that the two end gables have a lower ridge line which aims to reduce the visual impact of the peripheries of the garden centre.

The structure will undoubtedly have a greater visual prominence in relation to the surrounding Green Belt. However, an assessment has to be made on whether or not the impact is sufficient to warrant a refusal on Green Belt grounds. It is considered that the gable ends, substantial landscaping and distance from the Bath Road are such that the proposal would not be detrimental to the open/rural character and nature of the Green Belt.

B. Impact on the streetscene

The garden centre approved under 99/70375/F was a glazed structure which sought to lessen the visual impact of the building. As under construction, certain sections of the centre have been built of opaque materials which have a more industrial appearance. This was deemed to be unacceptable by the Local Planning Authority in terms of the impact which this material produces visually. The applicants have been advised of this and have agreed to replace these materials with glazing to match the remainder of the garden centre. These will be supplemented by blinds or screens where necessary, in order to shield the restaurant, toilet and storage facilities. The applicants are endeavouring to do so prior to consideration of the proposal at this committee. Should this prove impossible, they are amenable to the imposition of a condition to ensure the works are carried out and completed within a specified time period.

On the basis of the materials now agreed, it is considered that the building under construction would have no greater visual impact than previously approved in terms of its transparency. It is not considered that the proposal would have a detrimental impact on the visual amenity of the streetscene.

C. Concerns of residents, Parish Council and Residents Association.

The concerns of nearby residents, the Parish Council and the Residents Association are noted. Issues regarding the height, mass and use of materials for the garden centre have been dealt with in the preceding section of this report. The issue of this impact upon the Green Belt has also been addressed. The car parking as approved has now been laid out in accordance with approved plans. The overflow area adjacent to 'Shingleberry' had originally been laid on gravel, not grass as approved. Subsequent to correspondence from Enforcement staff, this area has been laid to grass, although this may take some time to establish due to when it was planted. Concerns have also been raised that the opportunity for a new roundabout at the junction of the A4 Bath Road/B3032 London Road. This issue was dealt with in previous consents, when the Highways Section considered the redevelopment and consolidation of the garden centre at that

time. It was not considered necessary or appropriate to request monies for the provision of a roundabout in this location. Whilst there has been some increase in vehicular traffic since this time, this is not directly attributable to the garden centre. It is not considered feasible to request contribution towards a roundabout under the guidelines set down in Circular 1/97 on Planning Obligations.

The Residents Association have raised various concerns regarding the timing of works on site. It is correct that the S106 agreement required the construction of the new Bath Road access and the closure of Tag Lane prior to development commencing. However, an assessment has to be made by the Local Planning Authority as to whether it would be expedient to take enforcement action against such works when permission has been granted for the development. The view was taken that so long as the access works were complete prior to the opening of the garden centre in its entirely, that it was not expedite to take any action. Similarly, it was deemed inappropriate to take enforcement action regarding soft landscaping. Whilst the condition refers to submission of details prior to commencement of development, planting can only take place in the appropriate season. Details of soft landscaping have now been submitted and are currently being considered by the Local Planning Authority. As part of the current application, the applicants have provided full landscape details in order to ensure the level of planting and species is appropriate. Several letters have made reference to other development in the Green Belt. Staff advise that each case has to be considered on its own merits.

5. **Conclusion** – This is clearly a finely balanced issue requiring members' judgement. The proposal is greater in height than previously approved and existing structure. It is considered that the distance from Bath Road, the level of soft landscaping and the fact that the height is distributed across the five gables are such that the proposal would not appear detrimental to the visual and open/rural character of the Green Belt. The additional height, on balance, is not considered sufficiently detrimental to be able to substantiate a refusal on Green Belt grounds. Additional landscaping and the change in materials will ensure that the proposal will not appear overdominant in the streetscene. Members may consider that notwithstanding these matters, the development will be detrimental to the open appearance of the Green Belt. Nevertheless, taking all these factors into consideration and in the context of the development already on site, it is recommended that planning permission be granted.

6. **Recommendation** – GRANT planning permission, subject to a variation of the existing S.106 legal agreement and the following conditions:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

2. The materials and glazing utilised in the completion of the garden centre shall be as currently used, and shall not vary in any respect without the written permission of the Local Planning Authority.

3. Construction works of any sort shall only take place within the area covered by the application between the hours of 07:00 and 19:00 Monday to Fridays and 07:00 and 13:30 Saturdays and no construction work shall take place on Sundays or Bank holidays.

4. Provision shall be made to accommodate all site operatives' visitors' and construction vehicles loading, off-loading, parking and turning within the site during the construction period in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

5. Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on the adjacent public highways in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

6. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (eg. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant].

7. Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation and maintenance programme].

8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

9. Details of the site lorry parking and loading areas approved by the Local Planning Authority under 99/70375/F shall be fully implemented and completed prior to the first occupation of the redevelopment shall be retained for parking and unloading at all times thereafter.

10. The redundant buildings to be demolished under this appeal proposal shall be removed from site before any new construction is undertaken.

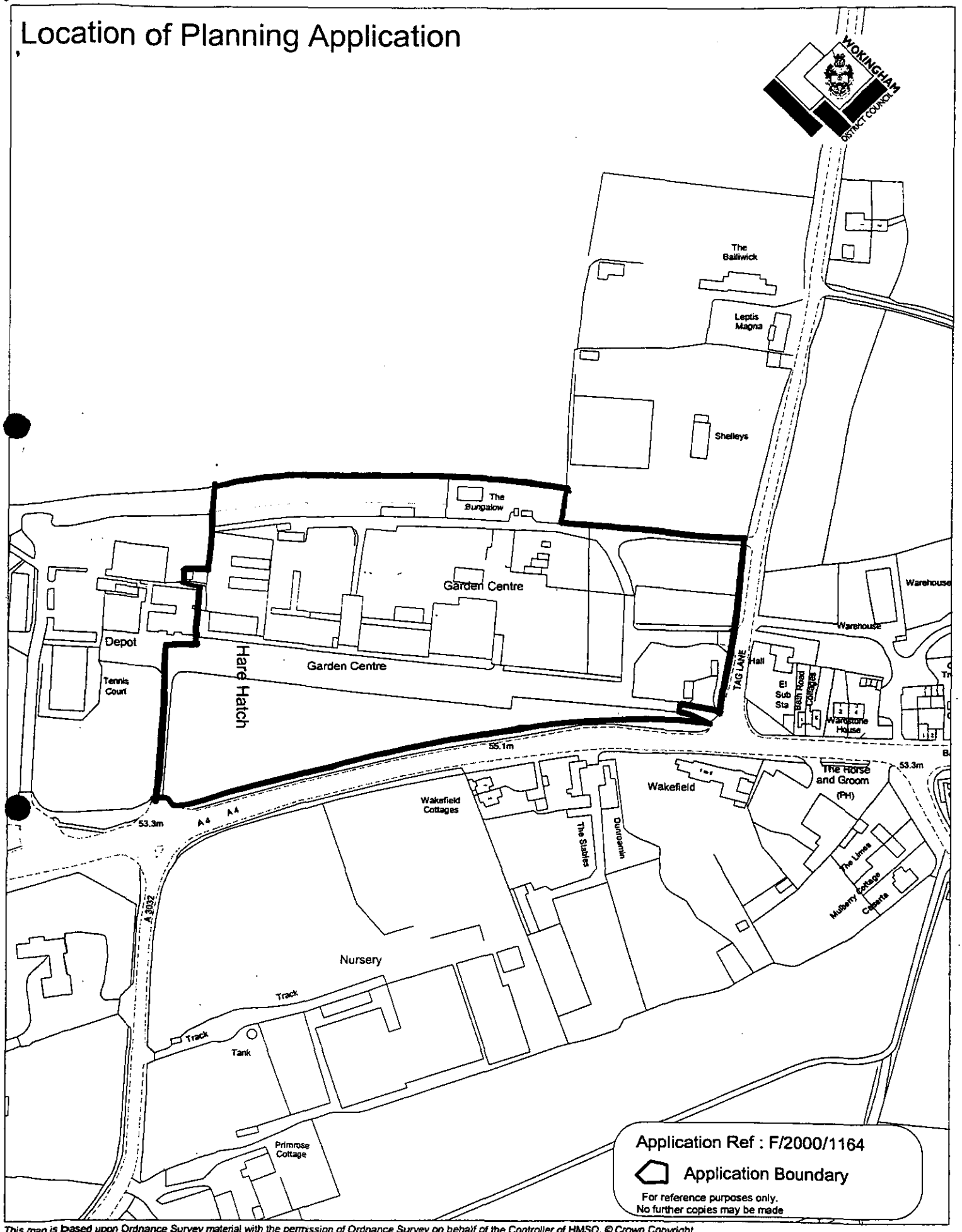
Reasons

1. In pursuance of Section 91(1) of the Town and Country Planning Act 1990.

2.10. In the interests of visual amenity.
3. In the interests of residential amenity.
4.8. In the interests of highway safety and convenience.
5.6.7. In the interests of the character and amenities of the locality.
9. To ensure that the development is at all times provided with adequate commercial vehicle parking space to prevent the need for roadside parking, loading and unloading in the interests of highway safety.

Heather Morgan

Location of Planning Application



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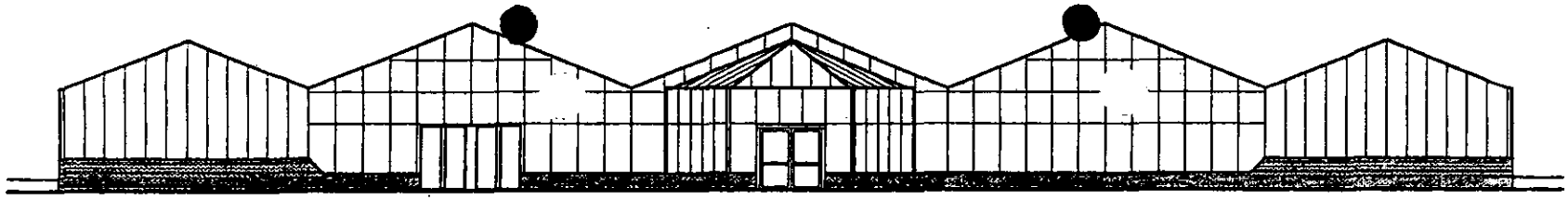
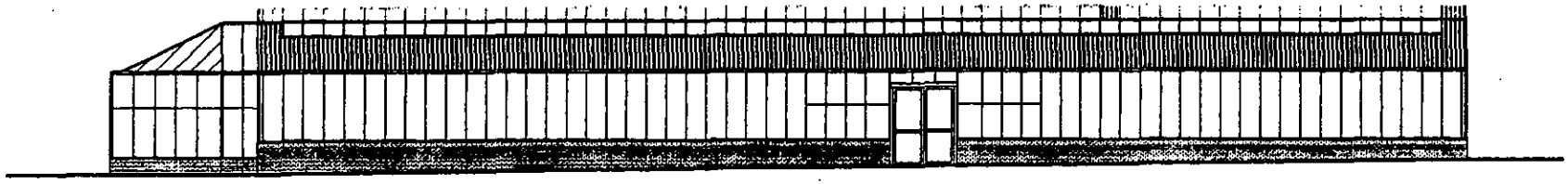
Development Control Section, Environmental Services, Wokingham District Council.
28 June 2000 Scale: 1 : 2500

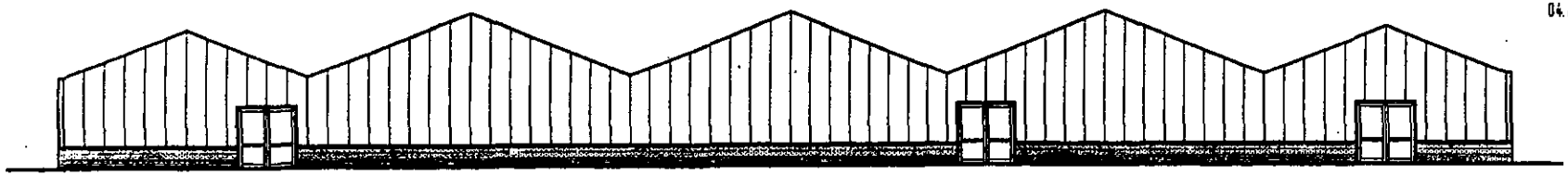
N W E S



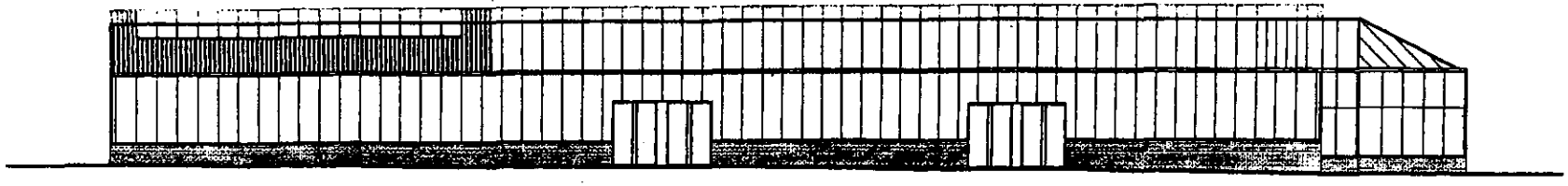
Proposed Front (South) Elevation



Proposed Side (East) Elevation



Proposed Rear (North) Elevation



Proposed Side (West) Elevation

425

Revisions

No.	Date	
A	MAR'00	EAST ELEVATION ADDED
B	MAR'00	ALL ELEVATIONS SHOWN

THIS DRAWING MUST NOT BE SCALE
Before commencing any work the
must set out, check all dimensions
and report any discrepancies.

Project
EXTENSION TO GARDEN CEN

04 APR 2000 1164

Client
WYEVALE GARDEN CENTRES

Site
WYEVALE GARDEN CENTRE
HARE HATCH
READING

Details
REVISED PROPOSED ELEVATI

HOLLINS
Architects and Surveyors
Planning Consultants

44 Market Hill
Framlingham · Woodbridge · Suffolk IP1
Tel 01728 723559 · Fax 01728 723
E-mail all@hollins.co.uk

Scale 1/100

Date MARCH 2000

Drawn PJT

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99148/10B

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MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON WEDNESDAY 28 JUNE 2000 FROM 7.00 PM TO 10.10 PM

Present: Mrs.D C Beatty, Mr.M J Bryant, Mr S R Conway, Mrs.A N M C Drake, Mr T P Dredge, Mr J L Earnshaw, Mrs J A Lissaman, Mrs M A Long, Mr K A Malvern, Mrs M Robertson and Fiona Rolls.

Also present under Standing Order 39: Mr F D Browne, Mr G Cowan, Simon Etheridge, Mr C E Lawley, Mr A Miller, Mr N D Rose and Mrs E L M Siggery,

40. CHAIRMAN

RESOLVED: That Mr S.R.Conway be elected Chairman for the meeting.

41. ORDER OF BUSINESS

With the agreement of the Committee, the order of business was varied so that those applications where members of the public had indicated a wish to speak could be dealt with first.

42. MINUTES

The Minutes of the meeting of the Committee held on 7 June 2000 were confirmed as a correct record and signed by the Chairman.

43. APOLOGIES FOR ABSENCE

An apology for absence was submitted from Mr.A J Ross.

Mr F D Browne and Simon Etheridge, local Members, attended the meeting and spoke in opposition to the proposal.

In considering the application, Members expressed concern about the scale of the development now proposed, compared to that previously approved and in the circumstances it was

RESOLVED: 1) That Application No.2000/1164 be refused on the grounds that it represented inappropriate development in the Green Belt;

2) That a report be submitted to a future meeting on what further action might be appropriate.

46. APPLICATION NO 2000/1164 PROPOSED REDEVELOPMENT OF GARDEN CENTRE (AMENDMENT TO CONSENT 99/70375/F) KENNEDYS GARDEN CENTRE, BATH ROAD, WARGRAVE, FOR WYEVALE GARDEN CENTRE

The Committee considered a report about this application set out on Agenda pages 418 to 429.

In explaining the report, the Head of Planning and Transportation informed Members that, since the Agenda had been despatched, an addition letter of objection had been received.

Mrs.E.O'Brian, Wargrave Parish Council, attended the meeting and gave that authority's observations on the proposal.

Mr.McClur-Fisher attended the meeting and spoke in opposition to the proposal.

The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9876079
Switchboard 0117-9878000
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GTN 1374-6079

PLANNING S[illegible]
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03 JAN 2001
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FILE:

Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2000/1164

Our Ref: APP/X0360/A/00/1053278

Date: 21 December 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY KENNEDY GARDEN CENTRES LTD
SITE AT WYEVALE GARDEN CENTRE, BATH ROAD, HARE HATCH, READING

I enclose a copy of the appellants statement relating to the above appeal.

If you have any comments on the points raised, please send them to me no later than 9 weeks from the starting date. Comments received after that deadline may not be seen by the Inspector.

Yours faithfully

A Groves

Miss A Groves

211AL(BPR)

The Planning Inspectorate

For official use only Date received

QUESTIONNAIRE

To be used for all appeals made on or after August 2000

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP/X0360/A/00/105 3278 **GRID REF:** SU7977

APPEAL BY: KENNEDY GARDEN CENTRES LTD.

SITE: WYE VALE GARDEN CENTRE, HARE HATCH

You must ensure that a copy of a completed questionnaire, together with any enclosures, is received by us and the appellant, within 2 weeks of the 'starting date' given in our letter. Please send our copy to the case officer. Their address is shown on our letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the 'starting date'.

NB: PLEASE TELL US OF ANY CHANGES TO THE INFORMATION YOU HAVE GIVEN ON THIS FORM.

1. Do you agree to the written representations procedure?	[redacted] / NO
OR Do the you wish to be heard by an Inspector at: a. a local inquiry?	YES / [redacted]
or b. a hearing?	[redacted] / NO
2. a. If the written procedure is agreed, could the Inspector see the whole site clearly from a road or other public land?	[redacted] / NO
b. From your knowledge of the issues, would our Inspector need to enter the site for any reason e.g. to view/measure any dimensions from within it?	YES / [redacted]
3. Does the appeal relate to an application for approval of reserved matters?	[redacted] / NO
4. Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?	[redacted] / NA
5. Was it necessary to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?	[redacted] / NO

6. Is the appeal site within an approved Green Belt or AONB? Please specify which ..... GREEN BELT	YES / [redacted]
7. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? (If YES, please attach details.)	[redacted] / NO
8. a. Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State? If YES, please attach details and, where necessary, give our reference numbers.	[redacted] / NO
b. Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details.	[redacted] / NO
9. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q11.)	[redacted] / NO
10. Does the appeal relate to an application for conservation area consent?	[redacted] / NO
11.a. Does the proposed development involve the demolition, alteration or extension of	[redacted] / NO
a Grade I / II* / II listed building?	Grade I/II*/II
b. Would the proposed development affect the setting of a listed building?	[redacted] / NO
If the answer to question 11a or b is YES, please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q13.)	
12. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?	[redacted] / NO
13.a. Would the proposals affect an Ancient Monument (whether scheduled or not)?	[redacted] / NO
b. If YES, was English Heritage consulted ? Please attach a copy of any comments	YES / NO
14.a. Is the appeal site in or adjacent to or likely to affect an SSSI? If YES, please attach the comments of English Nature.	[redacted] / NO
b. Are any protected species likely to be affected by the proposals? If YES, please give details.	[redacted] / NO

15. Copies of the following documents must, if appropriate, be enclosed with this questionnaire:

a	Is the development in Schedule 1 or column one of Schedule2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If YES, please indicate which Schedule.	YES / NO / Sch 1 Sch 2 col 1
b.	Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	YES / NO
c.	Has a screening opinion been placed on Part 1of the planning register? If YES, please send a copy to us.	YES / NO

		Number of Documents Enclosed	N/A
d.	Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;	1	
e.	Any representations received as a result of an Article 7 (or Regulation 6) notice;		✓
f.	A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas)Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;		✓
g.	Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);		✓
h.	Details of any other applications or matters you are currently considering relating to the same site;		✓
i.	For all appeals, including those against non determination, you must provide details of all relevant development plan policies. *Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.*	3	
j.	Any supplementary planning guidance, together with its status, that you consider necessary.		✓
k.	A list of any conditions or limitations you would agree to if the appeal were to be allowed;	1	
l.	Any other relevant information or correspondence you consider we should be aware of.		✓

16.a. What is the date you told those you notified about the appeal that we must receive any further comments by?	21·12·00	
b. Copies of the following documents must, if appropriate, be enclosed with this questionnaire.	Number of Documents Enclosed	N/A
i) representations received from interested parties about the original application	7	
ii) the planning officer's report to committee	2	
iii) any relevant committee minute	2	
17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY		
Do you intend to send another statement about this appeal? If NO, please send the following information:-	YES / [redacted]	
a. In non-determination cases:		
i) what the decision notice would have said;		
ii) how the relevant development plan policies relate to the issues of this appeal.		
b. In all cases:		
i) the relevant planning history;		
ii) any supplementary reasons for the decision on the application;		
iii) matters which you want our Inspector to note at the site visit.		
18. THE MAYOR OF LONDON CASES ONLY		
a. Was it necessary to notify the Mayor of London about the application? If YES please attach a copy of that notification.	YES / NO	
a. Did the Mayor of London issue a direction to refuse planning permission If YES, please attach a copy of that direction.	YES / NO	

I confirm that a copy of this appeal questionnaire and any enclosures have been sent today to the appellant or agent.

Signature: [signature] on behalf of WOKINGHAM DISTRICT Council

Date sent to us and the appellant 17/11/00 OUR Ref: F/2000/1164

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Wokingham District Local Plan
Deposit Draft

With Proposed Amendments Highlighted

February 2000

- Proposed Amendments April 1999
- Additional Proposed Amendments September 1999
- Proposed Transport Amendments February 2000

POLICY FRAMEWORK

National Policy

3.11 The Government's policy for the Green Belt is contained within PPG 2, which explains the fundamental aims and purposes of including land within the Metropolitan Green Belt.

Strategic Policy

3.12 The *Berkshire Structure Plan 1991 - 2006* states that the purpose of the Metropolitan Green Belt in Berkshire is to help limit the spread of Greater London; to prevent neighbouring towns from merging; and to safeguard the countryside from further encroachment by buildings and other features associated with intense activity. It states also that restraints on development in the Green Belt may encourage the recycling of derelict and other urban land excluded from the Green Belt.

3.13 The Structure Plan envisages that the Green Belt boundaries, as originally set out in the Green Belt Local Plan for Berkshire, will be retained except to correct very minor local inconsistencies. Further guidance on this is set out paragraph 5.12 of the Berkshire Structure Plan.

Supplementary Planning Guidance

3.14 Future supplementary guidance will be produced by this Council in respect of a District wide *Landscape Assessment*, which in turn will be used to produce a *Countryside Design Summary.* Also, there will be the production of *Village Design Statements* in conjunction with the parishes within this District. They will all be based on Countryside Commission methodology and advice set out in Planning Policy Guidance Note 7 (PPG 7) *The Countryside - Environmental Quality and Economic and Social Development.*

3.15 A background paper on recognised Major Existing Developed Sites in the Metropolitan Green Belt will be published concurrently with this Plan. It will provide an explanation of the selection criteria that form the basis of Policy WGB7. As supplementary planning guidance it defines the extent of the area within which the Council could accept possible future development (the defined development envelope). Further supplementary planning guidance in the form of a development brief could be necessary on these sites.

THE CONTROL OF DEVELOPMENT IN THE METROPOLITAN GREEN BELT

3.16 In the Metropolitan Green Belt there is a presumption against inappropriate development, which by definition, is harmful to the Green Belt, though there are some categories of development which may be appropriate and these are set out in Policy WGB1 below:

POLICY WGB1: DEVELOPMENT IN THE METROPOLITAN GREEN BELT

THERE WILL BE A PRESUMPTION AGAINST INAPPROPRIATE DEVELOPMENT IN THE METROPOLITAN GREEN BELT, ~~DEVELOPMENT MUST BE ACCEPTABLE TO ITS LOCATION WITHIN THE GREEN BELT~~, **(PA 3/1)** AS DEFINED ON THE PROPOSALS MAP. ~~APPROVAL WILL NOT BE GIVEN,~~ *DEVELOPMENT WILL NOT BE PERMITTED,* **(PA 3/1)** SAVE IN VERY SPECIAL CIRCUMSTANCES, ~~FOR THE CONSTRUCTION OF NEW BUILDINGS OR THE CHANGE OF USE OF LAND~~: FOR ANY PURPOSE OTHER THAN: **(PA 3/1)**

Cont.

~~A) DEVELOPMENT THAT DOES NOT CONFLICT WITH THE FUNDAMENTAL AIM OF KEEPING LAND PERMANENTLY OPEN AND ANY OTHER PURPOSE FOR WHICH GREEN BELTS ARE DEFINED~~ **(PA 3/1)**

~~B)~~ *A)* DEVELOPMENT FOR AGRICULTURE OR FORESTRY **(PA 3/1)**

~~C)~~ *B)* DIVERSIFICATION OF AN ESTABLISHED AGRICULTURAL BUSINESS WHERE IT DOES NOT CONFLICT WITH POLICIES IN THE GREEN BELT **(PA 3/1)**

~~D)~~ *C)* ESSENTIAL FACILITIES FOR OUTDOOR SPORT AND RECREATION, ~~AND~~ FOR CEMETERIES, *AND FOR OTHER USES OF LAND THAT PRESERVE THE OPENNESS OF THE GREEN BELT, AND WHICH DO NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND IN IT* **(PA 3/1)**

~~E)~~ *D)* LIMITED EXTENSION, ALTERATION AND REPLACEMENT OF EXISTING DWELLINGS **(PA 3/1)**

~~F)~~ *E)* LIMITED INFILLING OR REDEVELOPMENT OF *MAJOR* EXISTING DEVELOPED SITES IN ACCORDANCE WITH ~~POLICIES WGB5 OR~~ *POLICY* WGB7 **(PA 3/1)**

~~G)~~ *F)* THE RE-USE AND ADAPTATION OF EXISTING BUILDINGS IN ACCORDANCE WITH POLICY WGB4. **(PA 3/1)**

G) ESSENTIAL FACILITIES FOR PUBLIC UTILITIES WHICH IT HAS BEEN CONCLUSIVELY DEMONSTRATED CANNOT BE LOCATED ELSEWHERE **(PA 3/1)**

IN ALL CASES, DEVELOPMENT WILL NEED TO ~~RESPECT ITS CONTEXT~~ *RETAIN THE OPEN CHARACTER OF THE GREEN BELT,* **(PA 3/1)** AND NOT CAUSE DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS. DEVELOPMENT MUST BE APPROPRIATE IN TERMS OF:

SCALE, FORM, SITING, DESIGN, MATERIALS, CHARACTER, TYPE AND LEVEL OF USE, AND OTHER VISUAL, PHYSICAL AND ECOLOGICAL ASPECTS.

Implementation: Through development control process.

Monitoring: Impact of planning applications determined.

Applicationo	Name & Address
F/2000/1164	R Lloyd Shingleberry Tag Lane Hare Hatch Twyford RG10 9ST
F/2000/1164	Mr M Gradon Hare Hatch & Kiln Green Residents Association Old Trees Hare Hatch Bath Road RG10 9SP

App refused
Letter sent 03/08/00

applicationo	Name and address
99/70375/F	D A McClure Fisher 'Shelleys' Tag Lane Hare Hatch Berks RG10 9ST
APP GRANTED, LETTER SENT 02/02/00	

L. WILLETT
A1 BEARS CORNER
HARE HATCH
TWYFORD
Berks
RG10 9TL.

GILLIAN CROSSLEY
APPLETREE COTTAGE
TAG LANE
HARE HATCH
RG10 9ST.

Malcolm Scott

CONSULTANTS LTD

C0053/HFS/TH

DG 36300

COPIES TO: APC

FILE:

The Planning Inspectorate
Appeals Registry
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

6 November 2000

Dear Sirs

TOWN AND COUNTRY PLANNING ACT (1990): APPEAL UNDER SECTION 78: WYEVALE GARDEN CENTRE, HARE HATCH, BERKSHIRE

* Please find enclosed an appeal in connection with the above.

I confirm that I have forwarded a copy to the LPA.

* I enclose a note regarding dates upon which the appellants are unable to attend an inquiry; I would be obliged if you would forward this note to the Chart Room.

Yours faithfully
for MALCOLM SCOTT CONSULTANTS LTD.,

Helen F Scott

HELEN SCOTT

CC: Mr S Cooper, Wyevale Garden Centres Plc
Chief Planning Officer, Wokingham District Council
Counsel

REGISTERED OFFICE:
MALCOLM SCOTT CONSULTANTS LTD
GROVE HOUSE, 1 LOVES GROVE
WORCESTER WR1 3BU UK
TEL: (+44) 01905 726353
FAX: (+44) 01905 611221
e-mail ms.consultants@virgin.net
REGISTRATION NO: 1992131

DIRECTORS: MALCOLM W G SCOTT DipTP MA MRTPI ALI
HELEN F SCOTT BH(Hons) Dip TP MRTPI
CHRISTPHER PRIMETT BA (Hons) MTp MRTPI MIMC

ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE DESIGN
TOWN PLANNING

APPEAL BY KENNEDY GARDEN CENTRES LTD AGAINST WOKINGHAM DISTRICT COUNCIL'S REFUSAL TO GRANT PLANNING PERMISION F/2000/1164 DATED 19 JULY 2000

LIST OF ESSENTIAL SUPPORTING DOCUMENTS

1	Planning application 31 March 2000	a	Application covering letter dated 31 March 2000
		b	Planning application form (part 1)
		c	Planning Application form (part 2)
2	Certificate of Ownership		
3	LPA's decision notice dated 19 July 2000		
4	Plan showing site location and two roads		
5	Application drawings	a	Location Plan (1:2500)
		b	Anthony Jellard Associates' drawing number 2014/5/01 rev A
		c	Hollins' drawing number 99148/10B
6	Other relevant correspondence	a	Malcolm Scott Consultants Ltd's letter to LPA dated 18 September 2000
		b	Malcolm Scott Consultants Ltd's letter to LPA dated 3 October 2000
		c	LPA's letter to Malcolm Scott Consultants Ltd dated 20 October 2000

C0053/TH/th
6 November 2000
(SUPPDOCS)

NOTE TO CHART ROOM

Appeal by Kennedy Garden Centres Ltd against Wokingham District Council's refusal to grant planning permission F/2000/1164 dated 19 July 2000

Please note that the appellant's are unable to attend an inquiry on the following dates:

i) Anytime before 1 January 2001

ii) 1 February to 6 March 2001

iii) 14 March to 22 March 2001

C0053/TH/th
6 November 2000
(datenote)

Mike Evans

From: Mike Evans
Sent: Tuesday, February 06, 2001 3:52 PM
To: 'ms.consultants@virgin.net'
Subject: Kennedys Garden Centre - Agreed Statement

Thank you for your draft agreed statement. I have the following comments:

Para 2.4 - not sure what the "several" substantial retail structures are?

3.1.3 iv) - I cannot find this plan?

4.5 Should be Wokingham

I can't accept your interpretation that the DC Manager agreed in detail to the paragraph from your letter which you quote. Height is indeed the main consideration but my calculations also show an increase in floorspace. It would be easiest to exclude that part or reword it to include floorspace

I attach a table which shows heights and floorspaces in relation to the various consents - if we can agree this I would like to include it to save time at the appeal.

The only comment I have on conditions relates to no 4 - I would add on the end "prior to the commencement of development."



Kennedys Garden Centre - previ...

FAO Mary Macpherson.

SUMMARY

PROOF 0F EVIDENCE OF

MICHAEL EVANS
BA, MA, MPHIL and DIPTP

APPEAL BY KENNEDY GARDEN CENTRES LTD AGAINST THE REFUSAL OF PLANNING PERMISSION FOR THE REDEVELOPMENT OF EXISTING GARDEN CENTRE AT KENNEDYS GARDEN CENTRE, BATH ROAD, WARGRAVE

LOCAL PLANNING AUTHORITY REFERENCE : F/2000/1164

DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS REFERENCE : APP/X0360/A/00/1053278

Wokingham District Council
Environmental Services Department
Civic Offices
Shute End
Wokingham
Berkshire
RG40 1WR

1.00 PLANNING POLICIES

1.01 The Berkshire Structure Plan (BSP) was originally adopted in 1995 and alterations were adopted in 1997. The BSP is therefore part of the statutory development plan for the area. The relevant policy is:

C4 Control of Development in the Green Belt

1.02 The Green Belt Local Plan for Berkshire (GBLP) was adopted in 1985 and therefore also forms part of the statutory development plan. The relevant policy is:

Policy 1

1.03 The Draft Deposit Wokingham District Local Plan (DDWDLP) is an emerging local plan. It has been subject to a Public Local Inquiry, the results of which are awaited. The relevant policy is:

WGB1 Development in the Metropolitan Green Belt

2.00 THE COUNCIL'S CASE

2.01 In the view of the Council the main issues in the consideration of this proposal are:

Whether the proposal detracts from the open character of the green belt and is therefore contrary to policies designed to protect the green belt.

Whether any other considerations would outweigh this harm.

2.02 To summarise the Council's position : decisions taken by the Council in 1992, 1997 and 1999 (Applications 39452, 97/67329F and 99/70375F) reflected a desire to secure visual improvements in the form of some consolidation of

the scatter of small buildings, and highway benefits. The 1992 proposal involved roof heights of 4.7m(ridge height) and 2.9m(valley height). In the absence of a concluded S.106 agreement relating to highway improvements, that permission was not issued. In 1997, a new scheme was proposed and the roof heights of the new build sections not exceeding 5m.

2.03 Members were concerned about the impact upon the green belt. However, in view of the principle of redevelopment established by the 1992 decision, and because this was a lighter scheme combined with the previous highway benefits, permission was granted, conditional upon the conclusion of a s.106 agreement. In 2000, a further scheme was approved. This secured removal of the central 7m high section. The roof heights did not exceed 4.6m. The scheme was acknowledged to have a reduced impact on the green belt.

2.04 The above series of decisions represented a progression towards the visual improvement of buildings which are considered inappropriate to the openness of the green belt. The development now under construction, the subject of the appeal, represents a retrograde step in that it exceeds the height of the new build previously approved.

Impact on the green belt

2.05 The proposal involves a significant increase in height and there is also an increase in footprint in relation to the existing consent under Application 99/70375/F. and represents increased floorspace to a total of 2818 square metres instead of 2530m/2 approved under the 1999 consent.

2.06 The existing consent is for a scheme with five ridgelines. These have a height ranging from 4.1 to 4.6 metres. The appeal proposal has the same five ridges which have heights ranging from 5.3 to 6.4 metres.

2.07 The scheme put forward in 1997 represented extensions to the existing

building with its central parabolic structure (Application 97/65329/F). This section of the existing building has a maximum height of about 7 metres down to 3.2 metres. It predates the adoption of the green belt local plan in 1985 and would not have been allowed in the current policy context. The extensions permitted under 97/65329/F had a maximum height of 5 metres and the proposal involved retention of the central parabolic structure. That scheme, although it retained the obtrusive central section, had the advantage of consolidating existing development on the site and also brought the benefit of highway improvements.

2.08 The importance of the subsequent consent 99/70735/F was that it secured the removal of the central parabolic structure and restricted the overall height of built development to 4.6 metres and below.

2.09 The appeal proposal goes beyond either of the previous consents in that the height of the building is raised to above 5 metres at ridge level along its whole roof length. The result is a building with a significantly greater mass than those previously approved.

National Policy Guidance

2.10 Planning Policy Guidance Note 2 paragraph 1.4 emphasises that the most important attribute of green belts is their openness. It states that there is a general presumption against inappropriate development within green belts and that such development should not be approved except in very special circumstances. Paragraph 3.1 refers the reader to Paragraphs 3.4, 3.8, 3.11 and 3.12 for a definition of development which is inappropriate. Paragraph 3.2 says that inappropriate development is by definition harmful to the green belt. It follows that where a proposal is for development which is inappropriate the onus is on the applicant to show that very special circumstances exist to justify approval.

The Berkshire Structure Plan

2.11 Policy C4 of the BSP reflects national policy and states that development in the green belt must be acceptable in scale, form, impact, character and siting to its location in the green belt and should not compromise the purposes of the green belt and the fundamental aim of keeping land permanently open. The appeal proposal does not fall within any of the categories identified in policy C4. Further, the proposal, by virtue of its scale and impact, compromises the fundamental aim of the green belt of keeping land permanently open. The proposal does not therefore meet the requirements of policy C4.

The Green Belt Local Plan for Berkshire

2.12 Paragraph 9.5.5 of the GBLP states that proposals to establish garden centres in the green belt will be resisted. Since the appeal site is a long established garden centre this proposal falls to be considered in the light of the policies relating to development in the green belt generally. Chapter 6 of the Green Belt Local Plan for Berkshire states at Paragraph 6.1.1 that all development in the green belt will be resisted, except for development which will not harm the open, rural or countryside character of the area and development which is essential to the functioning of the area as a tract of open countryside, or development which must of necessity be located in the green belt and for which there is an undisputed public need. Policy 1 carries a presumption against all new building in the green belt.

The Emerging Local Plan

2.13 The draft WDLP has reached an advanced stage of preparation, objections having been considered at a public inquiry in October 1998 to October 1999 and February to November 2000. Policy WGB1 of the draft WDLP identifies what constitutes appropriate development in the green belt. The appeal proposal does not fall into any of the categories Draft Policy WGB1 also requires all development to retain the open character of the green belt and

must be appropriate in terms of scale, form, siting and design. The appeal proposal does not meet the requirements of Policy WGB1 of the DDWDLP.

2.14 The above three policies all require a consideration of the scale and impact of the specific proposal, and its effect on the openness of the green belt. The appeal proposal involves a significant increase in height over that already approved on what will already be a very large building in the green belt, even after the demolition of the parabolic section. The greatest height is also at the front of the building and makes it prominent in views from the A4. As well as the proposal being inappropriate development there is also, therefore, site specific harm.

Other Material Considerations

2.15 The appellant puts forward a number of factors in support of the proposal:

- Whilst there is scope for landscaping, the scale and massing of the building is so great that this would have little immediate effect and in any case is not something which makes inappropriate development acceptable in the green belt.

- The cost of altering the building if the appeal is dismissed can carry little weight. The argument is tantamount to saying that any unauthorised building works should be allowed to remain because there is a cost in remedying such works.

- The distance from the A4 is not such that the proposal is not visible or readily appreciated. There are clear views of the building. In any case green belt policy does not rely on visual impact in assessing the acceptability of development proposals.

3.00 CONCLUSIONS

3.01 For the above reasons the proposal clearly conflicts with Policy WGB1. It should be noted that redevelopment of the appeal site does not fall into any of the categories listed. The policy does state that in all cases development will need to retain the open character of the green belt.

3.02 Any benefit in terms of improved features to visitors and removal of existing buildings is not considered to be a significant benefit outweighing harm to the green belt. The approved scheme would have the same benefit without harming the green belt.

It is therefore respectfully requested that the appeal be dismissed.

1769a

WOKINGHAM DISTRICT COUNCIL
PLANNING APPLICATION

PART 1

APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT - TOWN AND COUNTRY PLANNING ACTS

Please answer **ALL QUESTIONS** in **BLOCK LETTERS**. If a question is not applicable, answer **N/A** in space. Please submit **SIX** copies of this form and plans to:-

THE DISTRICT PLANNING OFFICER
WOKINGHAM DISTRICT COUNCIL
PLANNING DEPARTMENT
P O Box No. 157
COUNCIL OFFICES
SHUTE END
WOKINGHAM
BERKSHIRE, RG40 1WR

FOR OFFICE USE ONLY

26.AUG.1999* 7C375

1.	**APPLICANT'S NAME**	Kennedys Garden Centres Limited
	ADDRESS	Kings Acre Road, Hereford
	POST CODE	HR4 0SE **PHONE** 01432 276568
	AGENT'S NAME	N/A
2. If the applicant has an agent, all correspondence will be sent to the agent	**ADDRESS**	
	POST CODE	**PHONE**
3. On the plans show the SITE outlined in RED Show also OTHER land in the applicant's ownership or control in BLUE.	**SITE LOCATION**	(See location plan) ~~Floral Mile, Hare Hatch, Twyford,~~ Nr. Reading, Berks. RG10 9SW.
4. WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used.		Revision to application number 97/65329/F for which planning permission has been granted including replacement of existing buildings.
5. Give the area in hectares or part of a hectare	**AREA OF SITE**	2.67
6. State the applicant's interest in the land e.g. owner, prospective purchaser, lessee	**OWNERSHIP**	Owner
7. List all the plans and drawings submitted with the application	**PLANS/DRAWINGS**	HHA-004A and HHA-004

8. **DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING ?**
Tick the boxes(x)

CHANGE OF USE	☐	**REDEVELOPMENT**	☑
ERECTION OF NEW BUILDING	☑	**ALTERATION or EXTENSION**	☑

9. **WHAT TYPE OF APPLICATION IS THIS ?**
Tick one box only

OUTLINE PERMISSION	☐	**See question 10**
FULL PERMISSION	☑	
APPROVAL OF DETAILS/RESERVED MATTERS	☐	**State relevant outline permission number Also complete Question 10**
TEMPORARY PERMISSION	☐	**State period required**
RELAXATION OF CONDITIONS	☐	**State relevant application number Conditions to be relaxed**

10. **IF THIS IS AN OUTLINE APPLICATION OR AN APPROVAL OF RESERVED MATTERS, which details, if any, do you wish to be considered as part of this application ?** N/A

		SITING	☐
EXTERNAL APPEARANCE	☐	**DESIGN**	☐
MEANS OF ACCESS	☐	**LANDSCAPING**	☐

11. WHAT IS THE EXISTING USE OF THE LAND AND/OR BUILDING(S)
e.g. residential, industrial, etc. If the site is vacant say so, and also state its previous use and when that ceased.

Garden Centre

12. DOES A PUBLIC RIGHT OF WAY CROSS OR ABUT THE SITE OR THE PROPOSED ACCESS?

YES/NO

If yes, show existing route(s) and any proposed alternatives on the plans

13. ARE THERE ANY TREES ON THE SITE?
IF YES, ARE ANY TO BE FELLED?

YES/NO
None

If yes, please show their positions, spread and species on the plans and which, if any, are to be felled.

14. STATE EXTERNAL MATERIALS TO BE USED.

Glasshouses (see elevations for detail)

15. HOW WILL THE SITE BE ENCLOSED?
Say whether walls, fences or hedges, and give height, colour and materials. If the site is divided into plots, say how each is to be enclosed.

No change from application number 97/65329/F for which permission has been granted.

16. HOW WILL SURFACE WATER BE DISPOSED OF?

Soakaway

17. HOW WILL FOUL SEWAGE BE DISPOSED OF?

To existing system YES/NO in Tag Lane

If no, please give details

18. WHAT ARE THE ACCESS ARRANGEMENTS?
AS EXISTING
AS PROPOSED
Give details of pedestrian and vehicular access

New access as previously approved

19. HAS PROVISION BEEN MADE FOR THE DISABLED?
See notes for applicants

Yes - level site, disabled parking and facilities are provided.

20. IF THIS PROPOSAL INVOLVES RESIDENTIAL DEVELOPMENT OR THE LOSS OF RESIDENTIAL UNITS, COMPLETE THE FOLLOWING TABLE

	No. OF DWELLINGS/HABITABLE ROOMS PROPOSED	TO BE RETAINED	TO BE LOST
HOUSE	/ *	/ *	/ *
BUNGALOW	/ *	/ *	/ *
FLAT/MAISONETTE	/ *	/ *	/ *
OTHER	/ *	/ *	/ *

* STATE No. OF HABITABLE ROOMS

21. DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL BUILDING OR USE?

YES/NO

If YES, complete Part 2 of the form

22. DOES THE PROPOSAL INVOLVE THE WINNING, WORKING OR PROCESSING OF MINERALS; THE DISPOSAL OF MINERAL WASTE, OR THE DEPOSIT OR PROCESSING OF REFUSE AND WASTE MATERIALS?

YES/NO

If YES, please ask for and complete Part 3 of the form

23. STATE THE FEE ENCLOSED WITH THIS APPLICATION
The current scale of fees is enclosed. If you believe a reduced fee or no fee is payable, say why.

£6,460.00

I hereby apply for permission in respect of the particulars described above and in the attached plans and drawings. If planning permission is granted, the development must be carried out strictly in accordance with the approved plans. Failure to do so could result in enforcement action being taken. Permission under the Town & Country Planning Acts does not obviate the possible need to apply for Building Regulations approval.

SIGNED [signature] ON BEHALF OF Kinsley Green Lands DATE 25th August 1999

Before submitting the application check that it is complete, that all questions have been answered and that the site boundary and the new work are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate and fee. See "NOTES TO HELP APPLICANTS".

1769c

PLANNING APPLICATION

PART 2

This part of the form need only be completed if the application involves non-residential development. Please answer all questions in print or block letters. If the answer is not applicable, write N/A in the space. You may wish to amplify your answers in a covering letter.

24. STATE THE GROSS FLOOR SPACE (by external measurement) OF ALL BUILDINGS TO WHICH THIS APPLICATION REFERS. Please give all floor areas in SQUARE METRES.

	USE CLASS	Existing floor space		Proposed additional floorspace created by	
		Retained in existing use	Lost by change of use or demolition	New building	Change of use
A1	SHOPS	-	940m²	1600m² approx. (not including area of existing building to be demolished)	
A2	FINANCIAL AND PROFESSIONAL SERVICES				
A3	FOOD AND DRINK				
B1(a)	OFFICE (other than A2)				
B1 (b)	RESEARCH AND DEVELOPMENT				
B1 (c)	LIGHT INDUSTRIAL				
B2	GENERAL INDUSTRIAL				
B3-7	SPECIAL INDUSTRIAL				
B8	STORAGE OR DISTRIBUTION				
C1	HOTELS AND HOSTELS				
C2	RESIDENTIAL INSTITUTIONS				
D1	NON-RESIDENTIAL INSTITUTIONS				
D2	ASSEMBLY AND LEISURE				
OTHER	Please Specify				
OTHER	Please Specify				
	TOTAL				

25. **IF C1 OR C2 USE IS PROPOSED, PLEASE STATE NUMBER OF BED SPACES**

26. **WHAT PROVISION IS BEING MADE FOR PARKING?**

No change from application number 97/65329/F for which planning permission has now been granted

	Cars	Lorries
Existing	310 approx.	
Proposed	420 approx.	

27. **DESCRIBE THE ACTIVITY OR PROCESSES TO BE CARRIED ON**

Please provide details of any equipment, plant or machinery to be installed and any end products. You may wish to amplify your answers in a covering letter.

28. **WHO WILL OCCUPY THE PREMISES?**

a) Give the name and current operating address of the proposed occupier

b) Will these premises be vacated?

Wyevale Garden Centres plc.,
Kings Acre Road, Hereford, HR4 0SE

29. **IF KNOWN, HOW MANY PEOPLE ARE LIKELY TO BE EMPLOYED ON SITE AFTER COMPLETION OF THE DEVELOPMENT?** Not known

Existing Staff	Transferred Staff	New Staff	Total

30. **DOES THE PROPOSAL INVOLVE THE USE OR STORAGE OF ANY OF THE HAZARDOUS SUBSTANCES LISTED IN THE NOTES?**

If so, state this material, the quantity and method of storage.

Not aware of any

Before submitting the application check that it is complete, that all questions have been answered and that the site boundary and the new work are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate and fee. See "NOTES TO HELP APPLICANTS".

The Committee considered a report about this application set out on Agenda pages 396 to 417.

In explaining the report, the Head of Planning and Transportation commented that the financial contribution referred to was now to be put towards safer routes to schools and local traffic management schemes.

Mrs C A Jewell, Woodley Town Council, attended the meeting and gave that authority's observations on the proposal.

Mr.G Thomas attended the meeting and spoke in opposition to the proposal.

Mr.P Wescott (on behalf of the applicant) attended the meeting and spoke in support of the proposal.

RESOLVED: That consideration of Application No.2000/0996 be deferred to enable a site visit to be undertaken.

46. APPLICATION NO 2000/1164 PROPOSED REDEVELOPMENT OF GARDEN CENTRE (AMENDMENT TO CONSENT 99/70375/F) KENNEDYS GARDEN CENTRE, BATH ROAD, WARGRAVE, FOR WYEVALE GARDEN CENTRE

The Committee considered a report about this application set out on Agenda pages 418 to 429.

In explaining the report, the Head of Planning and Transportation informed Members that, since the Agenda had been despatched, an addition letter of objection had been received.

Mrs.E.O'Brian, Wargrave Parish Council, attended the meeting and gave that authority's observations on the proposal.

Mr.McClur-Fisher attended the meeting and spoke in opposition to the proposal.

Mr F D Browne and Simon Etheridge, local Members, attended the meeting and spoke in opposition to the proposal.

In considering the application, Members expressed concern about the scale of the development now proposed, compared to that previously approved and in the circumstances it was

RESOLVED: 1) That Application No.2000/1164 be refused on the grounds that it represented inappropriate development in the Green Belt;

2) That a report be submitted to a future meeting on what further action might be appropriate.

47. APPLICATION NO 99/69539 PROPOSED ERECTION OF BUILDING FOR USE AS A BOATHOUSE, LANDING STAGE AND ANCILLARY WORKS, UPPER THAMES ROWING CLUB, REMENHAM LANE, REMENHAM, FOR UPPER THAMES ROWING CLUB

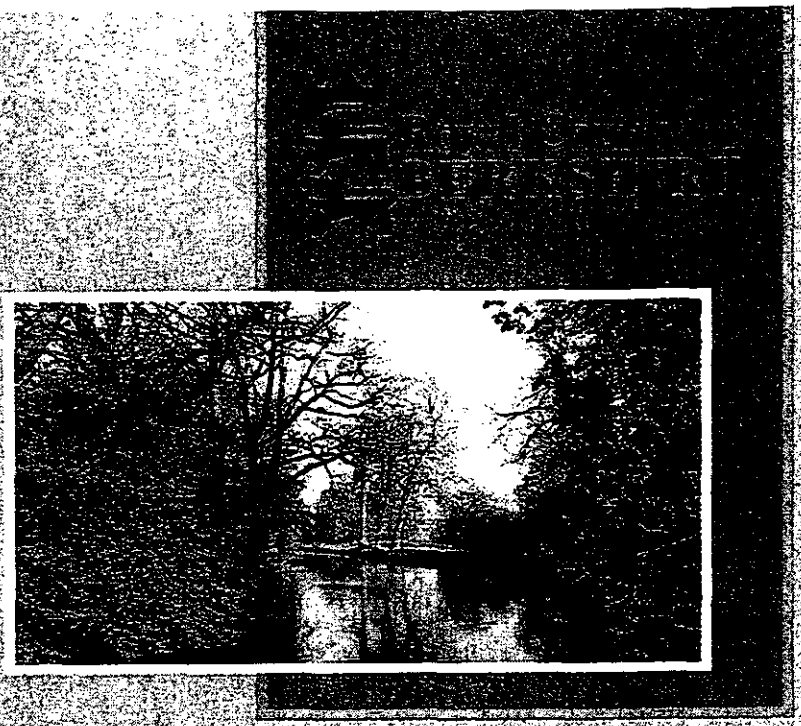
The Committee considered a report about this application set out on Agenda pages 439 to 451.

In explaining the report, the Head of Planning and Transportation informed Members that, since the Agenda had been despatched, an additional representation had been received.

Mr. Southwell attended the meeting and spoke in opposition to the proposal.

Mr.G Beard and Mr P Bucket attended the meeting and spoke in support of the proposal.

Mr F D Browne, a local Member, attended the meeting and expressed concerns about the proposal. He referred particularly to unauthorised dumping of soil on the site and the need for consideration to be given to the travel arrangements for users of the site.



BERKSHIRE STRUCTURE PLAN 1991-2006





Babtie

5.15 The release of land from the Green Belt in Slough may be needed to meet the housing provision for the Borough in Policy H2 if sufficient land cannot be found within the built-up area without problems related to town cramming. Because of its location, entirely surrounded by Green Belt, it is becoming increasingly difficult to identify sufficient land to meet local housing needs without the release of land from the Green Belt. If over-reliance is put on development beyond the Green Belt for meeting Slough's needs, it would add to the length of journeys to work and create particular problems for those requiring low-cost housing.

5.16 Should information become available as part of the Slough Local Plan Review process which clearly demonstrates that the urban area does not have sufficient capacity to meet the Borough's Structure Plan housing provision, then either a Structure Plan alteration may be required to consider the principle of releasing land from the Green Belt or limited Green Belt releases made through the Slough Local Plan, depending upon the scale and nature of land releases involved.

Development in the Green Belt

5.17 The purpose of the Metropolitan Green Belt in Berkshire is to help to limit the spread of Greater London; to prevent neighbouring towns from merging; and to safeguard the countryside from further encroachment by buildings and other features associated with intensive activity. Restraints on development in the Green Belt may also encourage the recycling of derelict and other urban land excluded from the Green Belt. Planning Policy Guidance Note 2 (PPG2) states that "general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them".

Control of Development in the Green Belt

Policy C4 **There will be a presumption against inappropriate development in the Metropolitan Green Belt. Development must be acceptable in scale, form, impact, character and siting to its location in the Green Belt and should not compromise the purposes of the Green Belt and the fundamental aim of keeping land permanently open.**

Approval will not be given, save in very special circumstances, for new buildings for any purpose, other than :

(i) agriculture and forestry;

(ii) essential facilities for outdoor sport and recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it;

(iii) limited extension, alteration and replacement of existing dwellings;

(iv) limited infill in Recognised Settlements defined in local plans;

(v) small-scale low-cost housing on other sites in Recognised Settlements to meet proven local needs in accordance with Policy H8;

(vi) limited infilling in, or redevelopment of, major existing developed sites identified in adopted local plans.

5.18 In implementing the provisions of Policy C4, it should be noted that development includes the change of use of land and existing buildings and the carrying out of engineering or other operations. The carrying out of such operations and the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purpose of including land in the Green Belt.

5.19 Within the Green Belt, the erection of new dwellings is normally restricted to infilling in Recognised Settlements (those villages and other locations within the Green Belt where, because of the local concentration of development, it is considered that the overall character of the Green Belt would not be harmed by permitting such development). The boundaries of these settlements are currently defined in the Green Belt Local Plan, which also indicates that "infilling" in the Green Belt should normally be limited to single plots. As local plans are prepared for areas in the Green Belt, their policies will supersede those in the Green Belt Local Plan. Until that time, policies in the Green Belt Local Plan will apply.

5.20 Planning Policy Guidance Note 2 'Green Belts' does not refer to park and ride sites as being appropriate development in the Green Belt. However, if such schemes are to be provided in the eastern part of the County in accordance with the integrated transport strategy, it is most likely that sites will have to be found in the Green Belt. Proposals for sites in the Green Belt would have to be treated as exceptional cases and as departures from the development plan which would have to be referred to the Secretary of State.

5.21 By maintaining the separation of settlements, the Green Belt plays an important role in protecting the rural character of much of the eastern part of Berkshire. However, in some areas, pressures for change and fragmentation of ownership are leading to degradation of the landscape. To help combat such changes (and thereby improve the effectiveness of Green Belt policy), the County Council will work in partnership with other agencies to develop appropriate landscape conservation and enhancement measures.

Settlements, Buildings and the Countryside

5.22 Areas on and near the edge of settlements, where built-up areas meet the countryside, are especially vulnerable to insensitive development within settlement boundaries which:

(i) increases the visual intrusion by buildings in the surrounding countryside;

(ii) causes the loss of tree and hedgerow cover which helps to soften and screen a settlement edge;

(iii) extends beyond a feature (like a ridge or tree belt) which forms a visual barrier to the edge of a settlement;

(iv) adds to, or fills gaps in, an area of dispersed settlement or sporadic development;

(v) prejudices the continued satisfactory conduct and management of a land-use wholly appropriate to a rural area, either on land adjoining a settlement or in an area of sporadic or dispersed development.

GREEN BELT LOCAL PLAN FOR BERKSHIRE

Royal County of Berkshire
April 1985

ISBN 0 903321 94 7

6 Introduction To The Development Control Policies

6.1 Basic Policies

6.1.1 Section 2.2 of this Local Plan explained the background to the operation of Green Belt policy in Berkshire: the policy is intended to be highly restrictive, to safeguard the open or rural character of the area surrounding the Greater London conurbation. **There is therefore a clear and strong presumption against any new development unless special reasons can be demonstrated why planning permission should be granted.** The general principle governing all development control operations in the Green Belt will therefore be that the planning authorities will operate strict policies to resist all development other than:

a development which will in no way harm the open, rural or countryside character of the area; or

b other development which is essential to the functioning of this area as a tract of ordinary countryside; or

c development of a type which must, of necessity, take place or be located in the area designated as Green Belt and of a type for which there is an undisputed public need.

6.1.2 The remainder of this Local Plan explains the practical implications of this principle as it will be applied to different types of development. A first refinement of it is the 'Acceptable Uses' policy of the approved Structure Plans, which translates it into a general statement of the types of development which will, and which will not, be acceptable in principle in the Green Belt. This Structure Plan policy acts as the starting point for all the discussion of the details of development control policy in the Green Belt, and so it is repeated here as a formal policy of this Local Plan, with a rider explaining its relationship to the remaining policies of this Plan:

Policy 1 WITHIN THE AREA OF THE METROPOLITAN GREEN BELT IN BERKSHIRE, APPROVAL WILL NOT BE GIVEN, SAVE IN VERY SPECIAL CIRCUMSTANCES, FOR NEW BUILDING OR FOR THE CHANGE OF USE OF LAND OR OF EXISTING BUILDINGS FOR ANY PURPOSE OTHER THAN THE FOLLOWING:

A RESIDENTIAL DEVELOPMENT IN THE FORM OF INFILLING WITHIN SETTLEMENTS;

B DEVELOPMENT ESSENTIAL TO THE USE OF LAND FOR AGRICULTURE OR FORESTRY;

C MINERAL EXTRACTION;

D APPROPRIATE KINDS OF RECREATION;

E PUBLIC UTILITIES WHICH CANNOT BE LOCATED ELSEWHERE;

F ANY OTHER PURPOSE WHOLLY APPROPRIATE TO A RURAL AREA.

STRINGENT ENVIRONMENTAL CRITERIA WILL BE APPLIED IN JUDGING WHETHER THE APPEARANCE AND SITING OF SUCH PROPOSALS ARE ACCEPTABLE.

DETAILED INTERPRETATION OF THIS POLICY WILL BE BY MEANS OF POLICIES 2 TO 23 OF THIS LOCAL PLAN.

Application No.	Received	Wargrave
99/70375/F	26/08/99	

Location : Kennedys Garden Centre, Bath Road, Wargrave
Proposal : Proposed erection of replacement buildings at centre (Amendment to approval 97/65329/F)

1. **Planning History** – The site is a long established garden centre including farm shop, pet food shop and swimming pool sales area. Substantial extensions were refused in 1990 (Ref. 34830) due to conflict with Green Belt policy and highway concerns. A later application in 1992 (39452) gained a resolution for approval subject to a legal agreement to achieve highway improvements. This agreement was never signed. In July 1997 the Environmental Services Committee resolved that application 39452 be withdrawn, or if the legal agreement was not completed within 8 weeks of that committee the application be refused. The application was subsequently withdrawn. A further application was received in March 1997 for the proposed erection of two glass houses, extension to existing car park and alterations to access (Ref. 97/65329/F). This was deemed acceptable because the consolidation of scattered small buildings improved visual amenity and there were highway benefits in terms of the new access and the closure of the Tag Lane access/egress points. This application was approved, subject to a legal agreement by the Development Control Sub Committee on 6 August 1997. The legal agreement was signed and the consent issued on 2 July 1999.

2. **Proposal** – is to remove some of the smaller buildings and extensions on the site and construct a consolidating extension along with improvements to the open sales area layout and car parking provision. A new access is proposed along with the closure of existing access/egress points at the Tag Lane boundary. There are two changes to that approved under 97/65329/F. (1) The old parabolic roof building to be removed and replaced with a greenhouse structure in keeping with the other buildings to be constructed. (2) The greenhouse structure is to be 'squared off' by removing the westernmost approved extension and replacing it to the rear of the approved extension and existing glass house. The floorspace as approved was 2,563 m². The current proposal would provide 2,530m².

3. **Consultations** -
   - ***Hare Hatch and Kiln Green Residents Association*** – No response to date
   - ***Highways*** – No objection subject to conditions and legal agreement to secure the appropriate new access.
   - ***Trees and landscape*** – Site is located within the Green Belt and adjacent to a Green Route enhancement zone. The proposed replacement is larger and extends towards the narrower part of the site. The visual impact of the building and the increased car parking will be higher and therefore a comprehensive landscaping scheme should be submitted.
   - ***Wargrave Parish Council*** – Concerned at the length of time between resolution to approve and issue of consent on earlier application. Question

the ability of this busy road junction to safely manage the additional traffic movements. The Parish Council would appreciate early advice of the highway improvements at the A4 junction.

- ***Consultation letters*** – One letter of objection (1) concerned at the increase in the number of entrances (2) requirement for planting between the car park and residential property on Tag Lane (3) level of car parking has been raised, reducing privacy and damage to existing hedge (4) soil dumped to rear of bungalow and concern regarding spread of the site.

4. Appraisal -

A. Whether there has been a material change in circumstances since the previous approval.
B. Concerns of resident and Parish Council.

A. The site lies within the Green Belt where policy presumes against inappropriate development and proposals to establish Garden centres will be resisted. However, this site is long established and consent was finally granted on 2 July 1999 for the erection of two glasshouses, extension to existing car park and alterations to access. There has been no material change in Green Belt Policy in the intervening period and it is not considered there are any grounds for taking a contrary view on this point.

The current proposal will remove the existing main building and provide a replacement which would be lower in height and in keeping with the design of the previously approved glass houses. The proposal will to some degree reduce the impact on the Green Belt through a decrease in height. The proposed development would have a less solid, more light-weight glass house appearance to reduce the visual impact. The level of car parking and proposed landscaping remain identical to that previously approved. There has been no material change in circumstances since the 1999 consent and the current proposal is deemed less visually intrusive. Plans are attached to the report for comparative purposes.

The current scheme proposes a new access of the A4 Bath Road along with the closure of the existing access/egress points at the Tag Lane boundary. This is identical to that previously approved. The Highways Section have raised no objection to the scheme and there has been no material change in circumstances between the recent grant of permission or the situation when the previous application was considered in July 1997.

B. There has been no change in the number of entrances, number of parking spaces or the level of the car parking over that approved under 97/65329/F. Additional landscaping within the development will be dealt with via conditions. On the question of the delay between the resolution and grant of the earlier consent, this was partially due to exchange of correspondence. In policy terms there had been no material change in circumstances between the resolution and the final decision.

5. **Conclusion** – The current proposal would not be materially detrimental to the appearance of the site or the wider Green Belt amenity and the reduction in height of the central structure would have a lesser impact and represents an improvement on the previously approved scheme. There has been no material change in planning policy or the traffic/highway situation between the resolution to grant permission in July 1997, the grant of consent in July 1999 and the current time.

6. **Recommendation** – GRANT planning permission subject to a S.106 legal agreement to secure the appropriate provision of the new access and closure of existing access/egress, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

2. Prior to the commencement of building operations, samples of the external materials shall be made available for inspection on site and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

3. Construction work of any sort shall only take place within the area covered by the application between the hours of 7:00am and 7:00pm Monday to Fridays and 7:00am to 1:30pm Saturdays and no construction work shall take place on Sundays or Bank Holidays.

4. Provision shall be made to accommodate all site operatives' visitors' and construction vehicles loading, off-loading, parking and turning within the site during the construction period in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

5. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include means of enclosure, hard surfacing materials and associated structures.

6. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation and maintenance programme.

7. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

8. Precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on the adjacent public highways in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

9. Development shall not commence until the proposed access has been constructed and the Tag Lane access/egress points closed, in accordance with detailed engineering drawings to be submitted to and approved by the Local Planning Authority.

10. Details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development with regard to on site lorry parking and loading areas. Those approved details shall be fully implemented and completed prior to the first occupation of the redevelopment hereby approved and shall be retained for parking and unloading at all times thereafter.

11. The redundant buildings to be demolished under this proposal shall be removed from the site before any new construction is undertaken.

Reasons

1. In pursuance of Section 91(1) of the Town and Country Planning Act 1990.

2 &11. In the interests of visual amenity.

3. In the interests of residential amenity.

4 & 8. In the interests of highway safety and convenience.

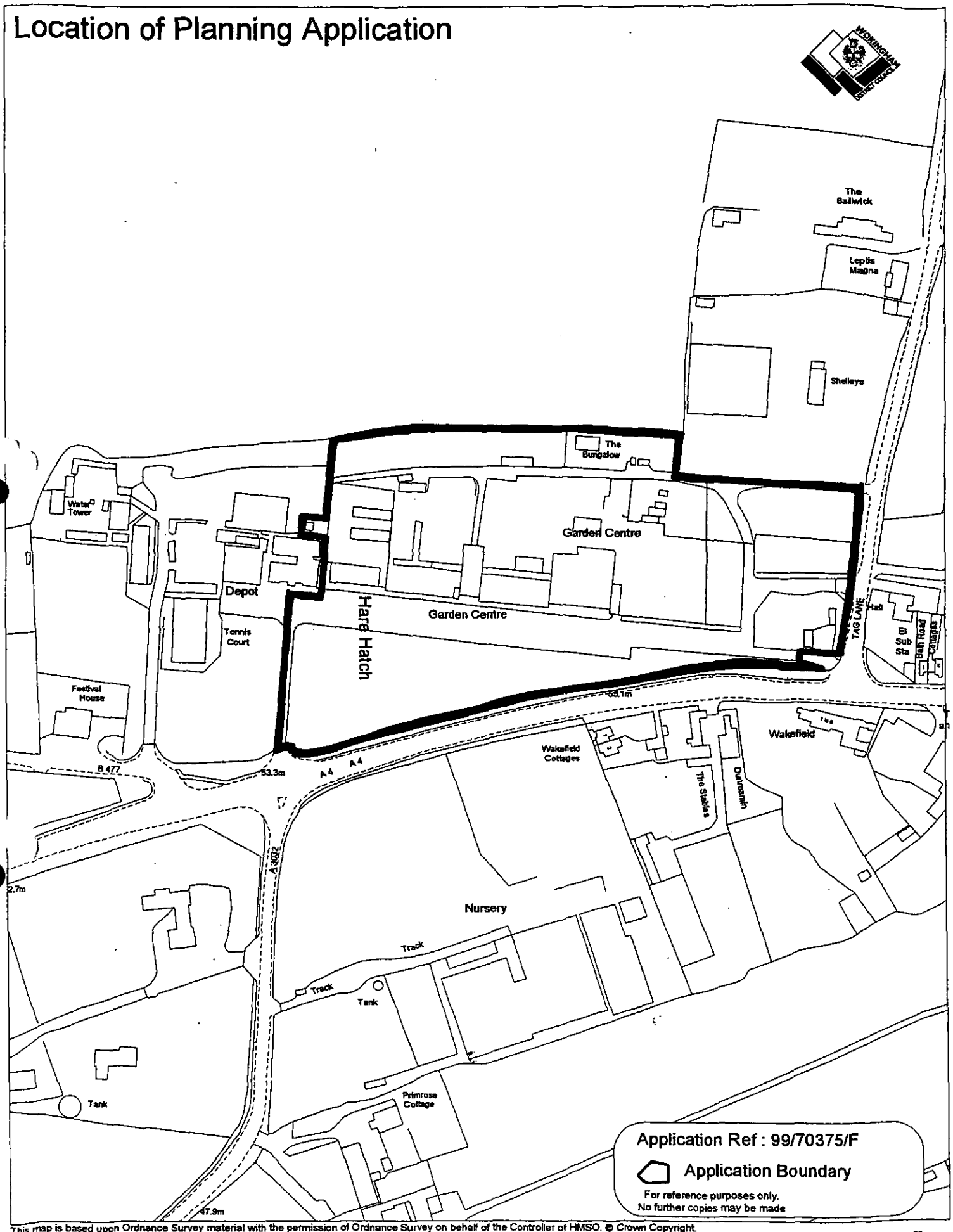
5,6 & 7. In the interests of the character and amenities of the locality.

9. In the interests of highway safety.

10. To ensure that the development is at all times provided with adequate commercial vehicle parking space to prevent the need for roadside parking, loading and unloading in the interests of highway safety.

Heather Morgan

Location of Planning Application



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Development Control Section, Environmental Services, Wokingham District Council.

24 November 1999

Scale: 1 : 2500

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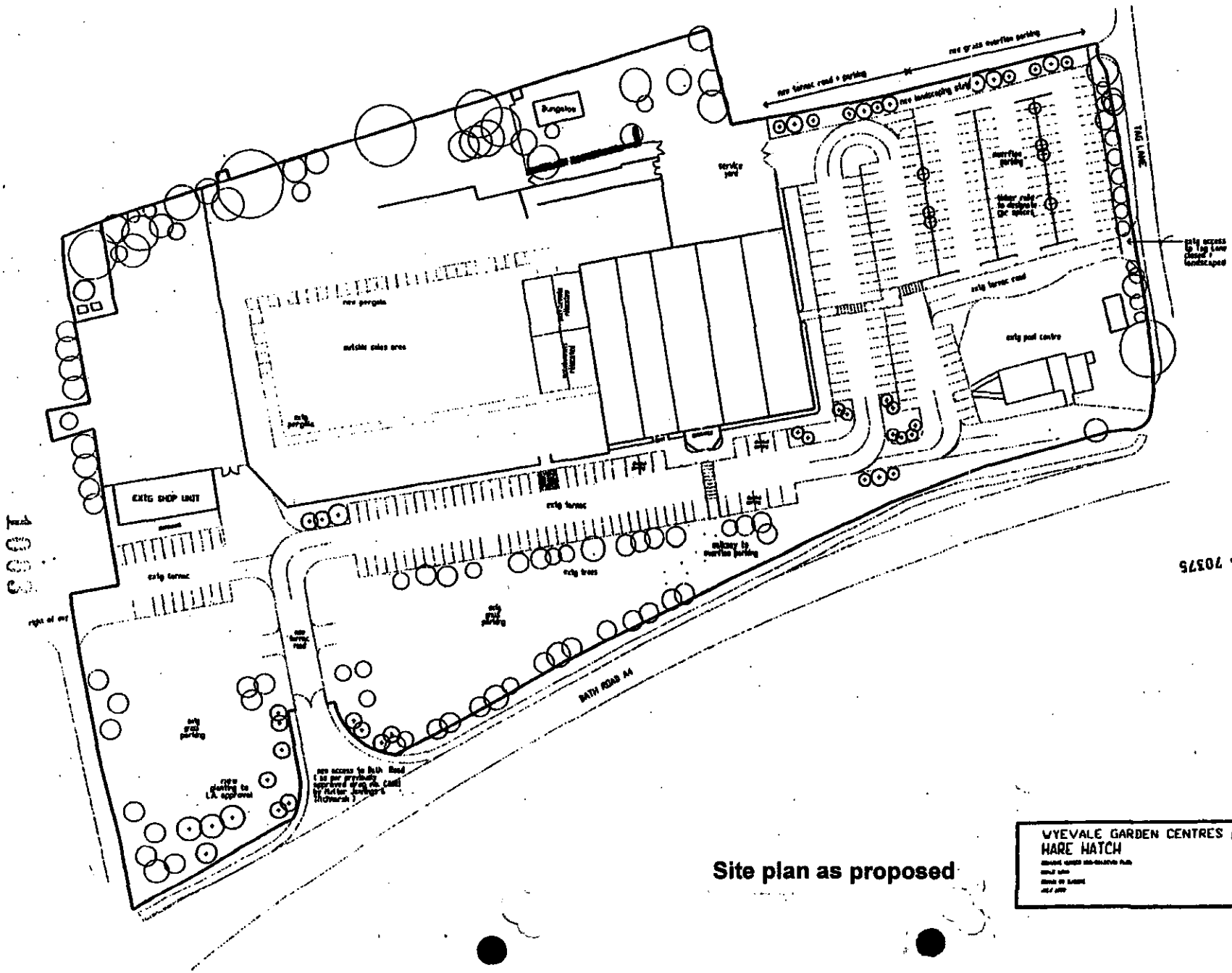
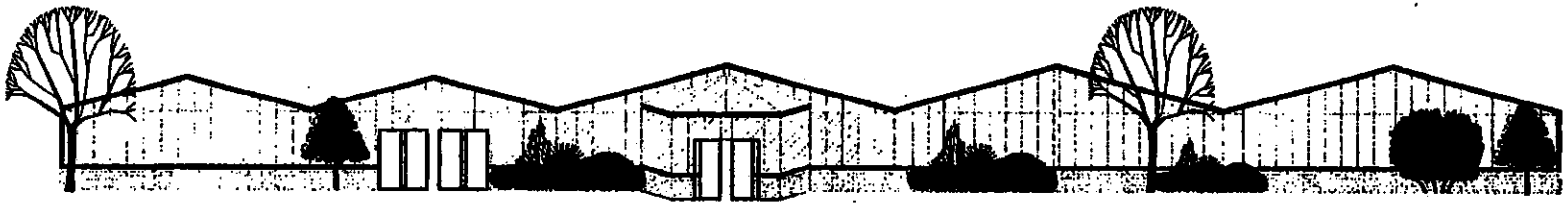


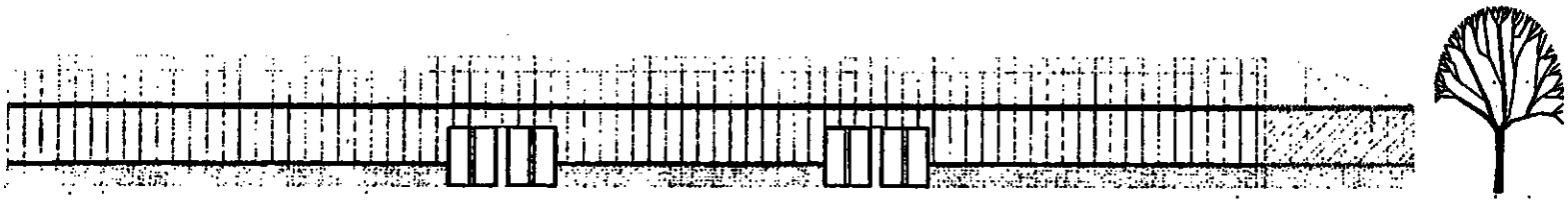
26 AUG 1999 70375

Site plan as proposed

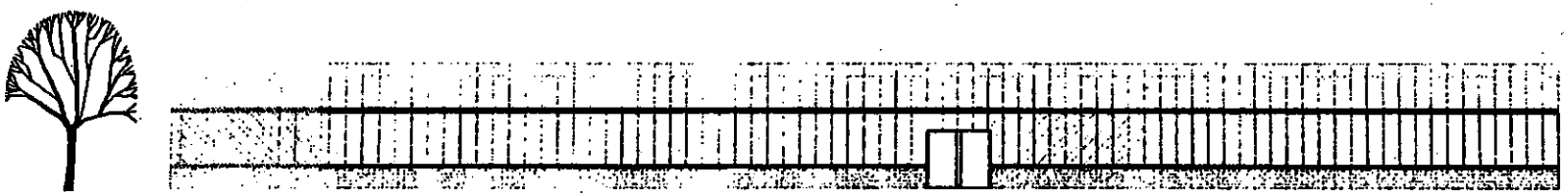
WYEVALE GARDEN CENTRES plc
HARE HATCH



FRONT SOUTH ELEVATION



SIDE WEST ELEVATION

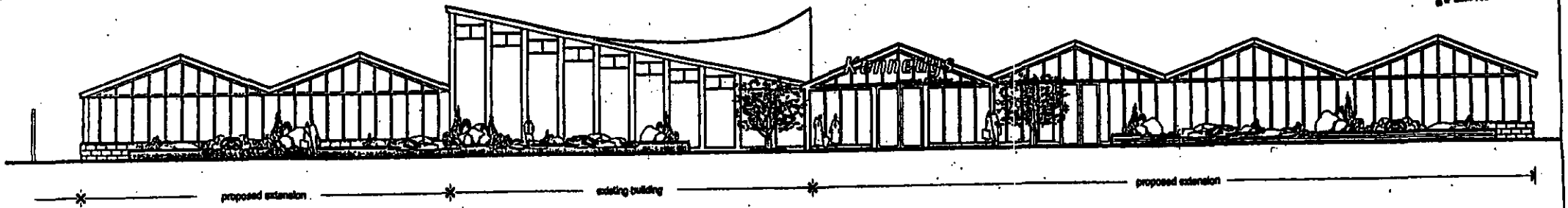


SIDE EAST ELEVATION

26 AUG 1999 • 70375

Elevations as proposed

WYEVALE GARDEN CENTRES plc
HARE HATCH
DRAWING NUMBER HHA-004.REV01 ELEVATIONS
SCALE 1:100
DRAWN BY D.MOORE
JULY 1999



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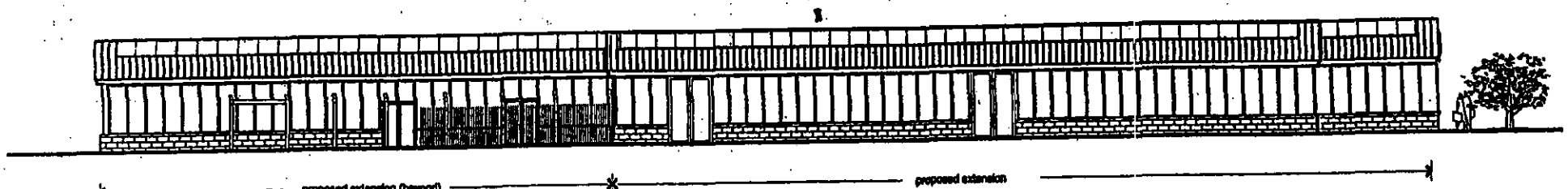
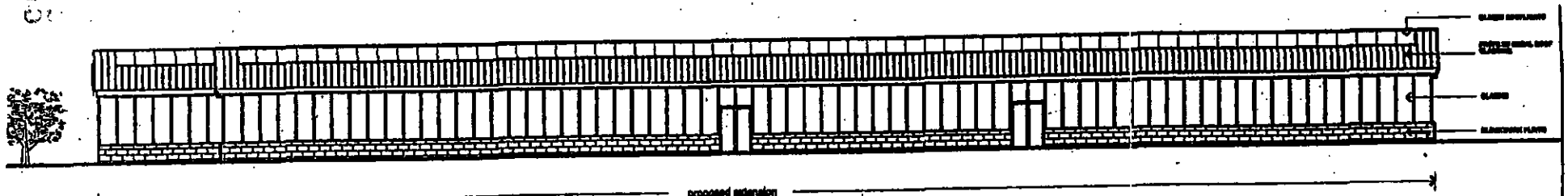


SIDE WEST ELEVATION



SIDE EAST ELEVATION

KENNEDYS
GARDEN CENTRE
HARE HATCH

KENNEDYS
GARDEN CENTRES

SCHEME B ELEVATIONS

POWELL
DESIGN PARTNERSHIP

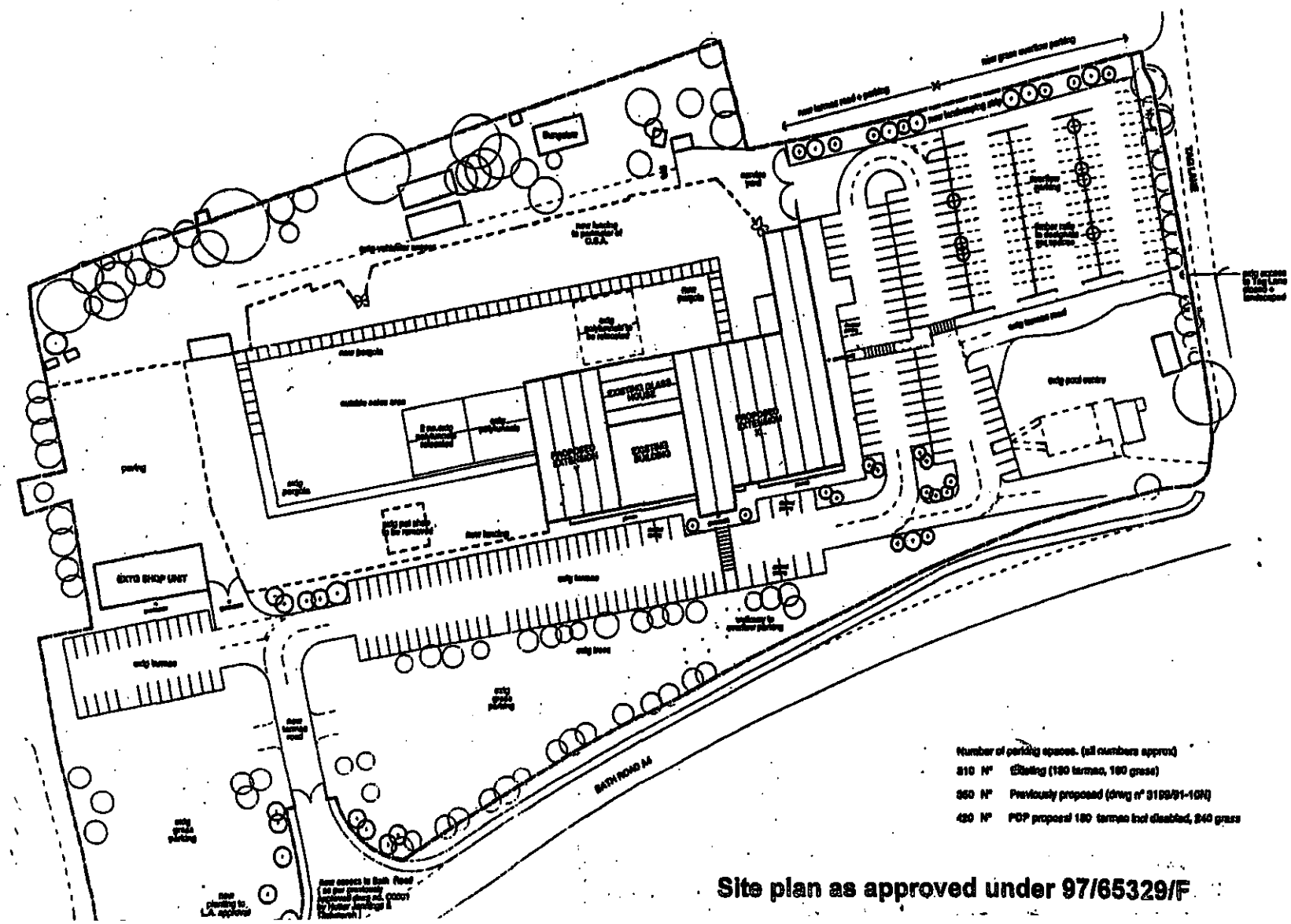
architects & designers

33-34 OXFORD STREET
SOUTHAMPTON SO14 3DS
TELEPHONE 01703 330221
FACSIMILE 01703 630730

scale 1:100 drawn K.V.

Elevations as approved under 97/65329/F

97/65329



Site plan as approved under 97/65329/F

KENNEDYS
GARDEN CENTRE
HARE HATCH

KENNEDYS
GARDEN CENTRES

SITE PLAN
AS PROPOSED

POWELL
DESIGN PARTNERSHIP

architects & designers

Tel: (0118) 974 6449 (Direct Line)
Fax: (0118) 974 6484
E-mail Mark.Bridge@wokingham.gov.uk
Date: March 17, 2000
My ref: MB/1/RFS/3177

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Wyvale Garden Centre
Cressing Road
Braintree
Essex
CM7 8DL

For the attention of Mr S P Cooper

Dear Sirs

WYVALE GARDEN CENTRE, BATH ROAD (FLORAL MILE), HARE HATCH
APPLICATION NO. 99/70375/F

I am writing with reference to the above and further to Mrs Dodsworth's letter dated 10 March 2000 addressed to Wyvale Garden Centres Plc, Registered Office.

I have visited the site and observed that work is continuing on site, despite Mrs Dodsworth's request for work to cease. The building being constructed is higher than that approved and as such I must advise you to cease work immediately on site. If work continues the Council will have no alternative but to consider issuing an Enforcement and Stop Notice.

It has also been brought to our attention that the area of overflow car parking shown on approved plan HHA-004.REV01 PLAN, as new grass overflow parking is in fact being constructed as hard standing. I must advise you to ensure that all work is built in accordance with the approved plans, failure to do so could result in formal enforcement action being taken against you.

I must also advise you that you are currently in Breach of conditions 04, 05, 08, 09, 10 and 11 of the above application. I must advise you to comply with these conditions within 7 days, failure to do so could result in the issuing of a Breach of Condition Notice. I must also advise that prior to occupation conditions 07 and 10 need to be fully complied with, failure to do so could result in the issuing of a Breach of Condition Notice, which could lead to a fine of £1000. There is no right of appeal to a Breach of Condition Notice.

Yours faithfully,

MR. M. BRIDGE
Planning Enforcement Officer

cc. Wyvale Garden Centres Plc, Registered Office, Kings Acre Road, Hereford
Mrs C Dodsworth, Development control/Building Control Liaison Officer

27375
CD
20 MAR 2000
COPIES TO:
ACK:
FILE:

Please reply to:

Wyevale Garden Centre,
Cressing Road, Braintree, Essex, CM7 8DL
Tel: (01376) 344651 - Fax: (01376) 344658

Your ref: CD/FPI999/0002(70375)

Mrs. C. Dodsworth,
Development Control/Building Control Liaison Officer,
Environmental Services Department,
Planning Services,
Wokingham District Council,
P.O. Box 157,
Shute End,
WOKINGHAM,
Berkshire,
RG40 1WR.

Dear Mrs. Dodsworth,

Erection of Replacement Buildings at
Kennedy Garden Centre, Bath Road, Wargrave

Thank you for your letter of 10th March 2000 in which you have kindly pointed out a discrepancy between the plans.

The purpose of writing is to confirm it is our intention to submit an application, hopefully prior to 3rd April, to regularise the situation. Your forbearance in the meantime would be very much appreciated.

Yours sincerely,

Stephen P. Cooper
Estates Manager

Wyevale
GARDEN CENTRES

Copy Christine Dodsworth

With Compliments

Stephen P. Cooper

Wyevale Garden Centre,
Cressing Road, Braintree, Essex, CM7 8DL.
Tel: (01376) 344651 - Fax: (01376) 344658

Wyevale
GARDEN CENTRES

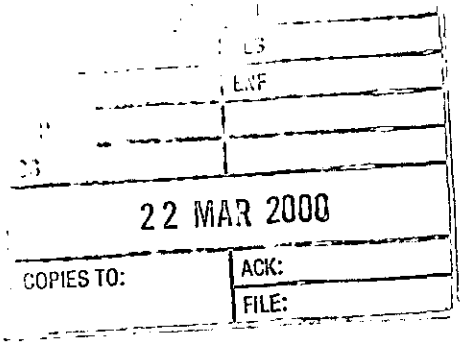
Please reply to:

Wyevale Garden Centre,
Cressing Road, Braintree, Essex, CM7 8DL
Tel: (01376) 344651 - Fax: (01376) 344658

Your ref: MB/1/RFS/3177

21st March, 2000.

Mr. M. Bridge,
Planning Enforcement Officer,
Environmental Services Department,
Planning Services,
Wokingham District Council,
P.O. Box 157,
Shute End,
WOKINGHAM,
Berkshire,
RG40 1WR.



Dear Sir,

Wyevale Garden Centre, Bath Road (Floral Mile), Hare Hatch
Application No: 99/70375/F

Thank you for your letter of 17th March 2000 which, you will recall, we discussed on the same day. The purpose of writing is simply to confirm the situation at the above-mentioned garden centre.

As this is a trading location, it was decided to carry out the development in two phases. Phase I is over ninety-five per cent complete with only minor works remaining outstanding. The main gardening season, which runs from April through to June inclusive, is upon us and we are keen to tidy the site and cease construction works.

Phase II works involve development of the remainder of the building and some other works on the car park which are detailed later in this letter. No works involved in Phase II will be undertaken until after June 2000.

This company has been contacted by a neighbour, who presumably contacted you also, regarding the overflow car park. This area has been stoned temporarily as to topsoil and seed it at this stage would be futile. During the summer months the shingle surface will be drawn back, topsoil put down and the area seeded during the autumn planting season. This will allow sufficient time for the grass to become established prior to the main gardening season next year. It is unlikely that the overflow car park will be used outside of this period.

Turning to the conditions, I would respond as follows:

04. The garden centre has a very large car park which we have expanded as part of the works. There was never any problem with accommodating

continued/...

construction vehicles. As was explained previously, the main reason for undertaking the works on the garden centre and the road concurrently was that they could be completed during the quietest trading months. This would benefit staff, customers, neighbours and other road users. Indeed, to the best of my knowledge, there has been no problems whatsoever.

05. Broad agreement had been reached some time ago with regard to the landscaping. Further discussions have taken place and a plan will be forwarded to you within the next three days fully detailing our exact proposals. This will take account of neighbours considerations as well as trolley parks and operational needs. We would entertain any reasonable requirements from the council in respect of landscaping and will have been contacting the appropriate staff at the district council with this in mind.

08. As previously mentioned, the roadworks have been undertaken at the same time as building works on site. There were strict requirements placed by Babtie to ensure mud on the road is minimal and we have ensured vehicles operating on site comply with the same requirements.

09. It is envisaged that the highway improvements will be completed this week. As soon as Babtie, acting for Wokingham district council, indicate that the new entrance/exit can be fully utilised, the exit on to Tag Lane will permanently cease to be used.

10. There have been very few commercial vehicles involved in the construction of the garden centre and, being a trading location with a large amount of car parking, no problems have transpired. The building works were undertaken when disruption to all concerned would be kept to a minimum. Looking forward, the plan submitted makes provision for the parking, loading and unloading of delivery vehicles.

11. Buildings have been demolished to permit works undertaken so far. Clearly, when Phase II takes place, hopefully during the summer months, the remaining buildings can be demolished and the development completed. Any earlier demolition of buildings would have led to inconvenience which this company has strove to minimise.

Hopefully, all the matters raised have been adequately dealt with. A copy of this letter is being forwarded to Mrs. Dodsworth and Mrs. Morgan in the planning department for their files. Should you or, indeed, any of your colleagues have any questions, please do not hesitate to telephone.

Yours faithfully,

S.P. Cooper
Estates Manager

cc: Mrs. C. Dodsworth
Mrs. H. Morgan

Heather Morgan

2912

From: Wargrave Parish Council [wargraveparishcouncil@hotmail.com]
Sent: 12 May 2000 19:48
To: Heather.Morgan@wokingham.gov.uk
Subject: Planning Application No: F/2000/1164

Dear Heather,

Firstly I would like to introduce myself, I am the new Clerk for Wargrave Parish Council, I understand my predecessor had a good working relationship with your department, I hope that this will continue.

With regard to Wyevale Garden Centre's recent application (amendment ot consent 99/70375/F), the Parish Council would like to request that the orginal consent is enforced as the building constructed is clearly not what was agreed to. Furthermore may I enquire as to whether the car parking scheme has been constructed as per the approved plans.

Thank you for your assistance.

Regards,

Stephen Hedges
Clerk for Wargrave Parish Council

If you have any questions regarding the content of this email, please feel free to contact me.
Email ~ wargraveparishcouncil@hotmail.com <mailto:wargraveparishcouncil@hotmail.com>
Tel/Fax ~ 01628 788354

FROM: Heather Morgan

DATE: 18 April 2000

WARGRAVE PARISH CONSULTATION SHEET

29364

Application Number: F/2000/1164

Proposal: Proposed redevelopment of garden centre (Amendment to consent 99/70375/F).

Site Address: Wyevale Garden Centre, Bath Road, Hare Hatch, Reading.

Applicant: Kennedy Garden Centres Ltd .

COPIES TO: A.C.R: FILE:

Your observations are required in respect of this application **by 12/05/2000** .

OBJECT :-

Height & mass in greenbelt.

Informative:

The Parish Council would like to question the type of materials used.

SIGNED: S Hedges DATE: 2/5/00

Clerk To Wargrave Parish/Town Council.

WARGRAVE PARISH COUNCIL

33 Ridgeway
Wargrave
Reading
RG10 8AS

Tel/Fax: 0118 940 4983 Email: wargraveparishcouncil@btinternet.com

PLANNING SERVICES | WPT 2796S
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APP |
CS |
04 APR 2000
COPIES TO: | ACK:
FILE:

3 April, 2000

Heather Morgan
Planning Officer
Wokingham District Council
PO Box 157 Shute End
Wokingham RG40 1WR

Dear Ms Morgan,

99/70375/F – Kennedys Garden Centre, Bath Road, Wargrave

I have been instructed to inform you that the Parish Council supports the comments made by the Chairman of the Hare Hatch and Kiln Green Residents Association in his letter of 16 March. A copy is attached.

Yours sincerely

Norman Raybone

Norman Raybone
Clerk to Wargrave Parish Council

CC Angela Hodgson

Retain to DC, 23/3

HARE HATCH & KILN GREEN RESIDENTS ASSOCIATION

Old Trees,
Bath Road
Hare Hatch
16 March 2000

The Chief Executive
Wokingham District Council
Shute End
Wokingham
Berkshire

COPY

Dear Sir,

Wyevale Garden Centre Bath Road Hare Hatch.
Planning Consent 99/70375/F

I am writing to draw your attention to some flagrant breaches of the planning consent in respect of the above.

1 **The buildings have been built nearly two metres higher than the approved plans.** This has had an extremely adverse visual impact on the surrounding Green Belt area and the neighbouring properties. The development now looks more like a warehouse than as described in your departments' appraisal as having a "less solid more light weight glass house effect to reduce the visual impact."

We did not object to this application, which was in replacement of application 97/65329F largely because the height of the proposed building was to be reduced. Indeed in a covering letter Wyevale made a virtue of the fact that they would reduce the height. To find it is now higher, not lower, than the existing building shows a cynical disregard for the planning process.

2 **The overflow Car Park is being constructed with a gravel surface not grass as approved by you.**
This will have a very adverse impact on the neighbouring property and is totally against your approval, which would tend to keep cars away from the property. It would also create additional noise, dust and nuisance for the property.

3 **The development commenced long before the access road was built (Condition 9).** It is in fact nearly completed and the road only just started. The Tag Lane exit is still open.

4 **Details of the landscaping works have not been agreed before the work started (Condition 10).** This is a most important feature of the approval involving not only the visual impact of the development in a Green Belt area but also its effect on the neighbouring properties.

I am appalled that major breaches of consent should have occurred in such a delicate redevelopment and ask that you ensure that work is stopped, the height reduced and the original conditions are adhered to. This building is an eyesore.

Yours faithfully

M Gradon
Chairman

Heather Morgan

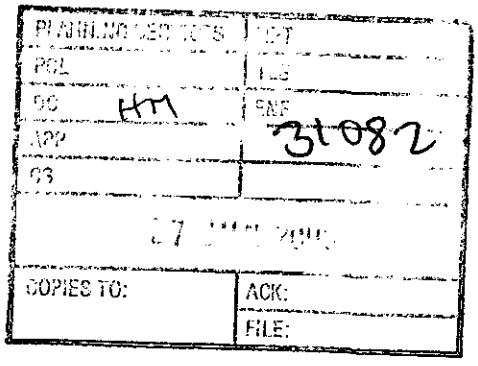
From: David McClure Fisher [david@warrantydirect.co.uk]
Sent: 26 June 2000 11:28
To: heather.morgan@wokingham.gov.uk
Cc: David McClure Fisher
Subject: Redevelopment of Wyevale Garden Centre Bath Road Hare Hatch

I understand that you have asked for comments on the revised planting plan by today.

I am somewhat surprised you did not notify me of this.

I have not yet been able to see the latest plans but I understand that the landscaping on Shelleys side of the redevelopment is in accordance with our suggestions and will help to conceal and soften the outline of the building.

However all the improved landscaping imaginable cannot obscure the fact that this is a very much larger building than originally proposed and approved and does have a much greater visual impact than the original approved building



HIGHWAYS CONSULTATION SHEET

From: Heather Morgan

Date: 18 April 2000

Application Number: F/2000/1164

Proposal: Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)

Site Address:
Wyevale Garden Centre, Bath Road, Hare Hatch, Reading.

Applicant:
Kennedy Garden Centres Ltd .

Your observations are required in respect of this application within **7 days** of the above date.

✓ below as applicable;

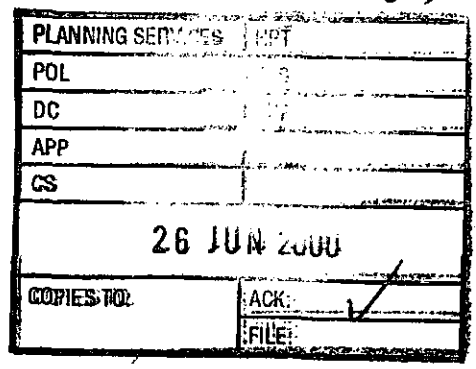
1) ☐ Recommend refusal for the reason(s) **stated below**;
2) ☐ Recommend approval but with condition(s) & reason(s) **stated below**;
3) ☐ Recommend approval with **no** condition(s) or reason(s).

I UNDERSTAND THAT THIS APPLICATION ONLY RELATES TO AMENDMENTS TO ELEVATIONS AND THAT THERE WILL BE NO INCREASE IN FLOOR AREA OR CHANGES TO ACCESS/PARKING. ON THIS BASIS, THE H.A. HAVE NO OBJECTIONS.

Signed: _____ 5/4/00 **Print name:** _____

Heather Morgan
Wokingham District Council
Shute End
Wokingham
RG40 1WR

805



Shingleberry
Tag Lane
Hare Hatch
Twyford
Berks RG10 9ST

0118-940-2157

23 June 2000

Dear Ms Morgan

Planning Application F/2000/1164: Wyevale Garden Centre, Hare Hatch

I was advised by your department of the revised landscape proposals for the above application, and attempted to view them at Woodley Library this morning. Unfortunately there has been a hiccup in the document distribution process, and the papers were not available there. I was however able to have the relevant text of the accompanying letter read to me over the phone.

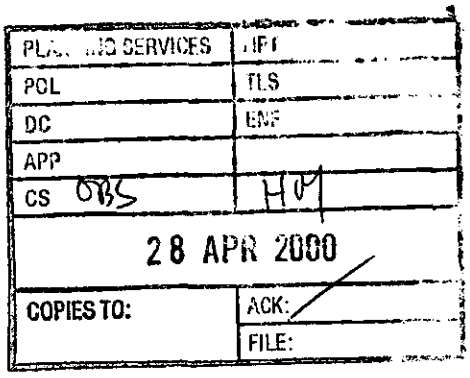
No doubt the proposed "semi-mature trees" to be planted for the Bath Road frontage and the "large trees" for the Shelleys boundary will serve to disguise the excessive height and bulk of this building - but that is all. Disguise is inadequate and I remain of the firm opinion that Wyevale should be instructed to reduce the building to the originally approved height.

Having visited the Garden Centre as a customer I would observe that the major portion of the new premises are currently being used as a furniture showroom and cafeteria. Neither of these uses is central to the main purpose of the business of a Garden Centre, and should not be used to justify the excessive height and the over-development on a Green Belt site.

Yours faithfully

Richard V.S.Lloyd

The Develpment Control Manager
Wokingham District Council
Shute End
Wokingham
RG40 1WR



Shingleberry
Tag Lane
Hare Hatch
Twyford
Berks RG10 9ST

0118-940-2157

25 April 2000

Dear Madam

Planning Application F/2000/1164: Wyevale Garden Centre, Hare Hatch

Further to my earlier letter expressing concern about departures from the approved plans for this development, I understand that a new application has been made seeking retrospective approval for the unauthorised height of the new buildings which are >2m more than proposed. My concern on this point remains, and I urge the Council to refuse consent and seek enforcement of the originally approved lower height.

As one who has in the past been limited by your department in my own plans for domestic building extension in this same locality, quoting such reasons as "significant detriment to the visual amenities of the locality" and inter alia quoting Green Belt Local Plan Policy 1 (General restrictions), I feel qualified to express my concern that this development should be allowed to "get away with" exceeding its permitted limits and restrictions.

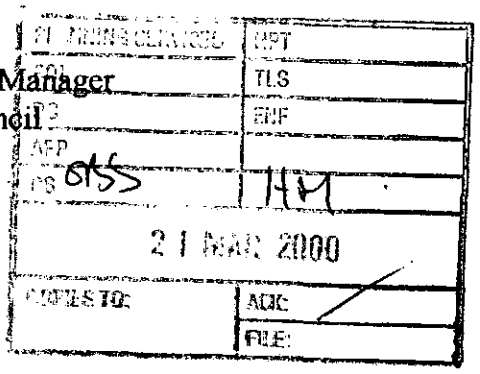
If the phrase "Stringent environmental criteria will be applied in judging whether the appearance and siting of such proposals are acceptable" means anything, and can be used in my case to limit extensions to a private house, how much more should such criteria be fully applied to controlling what is fast becoming a major commercial centre within the Green Belt boundaries. The "warehouse-like" appearance of the building is completely inappropriate for a Green Belt site, and will only serve to encourage further commercial development.

I look forward to hearing that Wyvale Garden Centre have been instructed to bring their development within the permitted and agreed limits.

Yours faithfully

Richard V.S.Lloyd

Prior to Submission of application



The Develpment Control Manager
Wokingham District Council
Shute End
Wokingham
RG40 1WR

Shingleberry
Tag Lane
Hare Hatch
Twyford
Berks RG10 9ST

0118-940-2157

19 March 2000

Dear Madam

Planning Consent 99/70375/F: Wyevale Garden Centre, Hare Hatch

I write to express my extreme concern regarding the departures from the approved plans which have been noted by fellow residents on the above development. These are:

a) The height of the new "warehouse-type" buildings which are supposed to be below the height of the existing buildings, but which are now nearly two metres higher

b) The replacement of the required grass car parking surface by gravel on the north-east side of the property.

As one who has in the past been limited by your department in my own plans for domestic building extension in this same locality, quoting such reasons as "significant detriment to the visual amenities of the locality" and *inter alia* quoting Green Belt Local Plan Policy 1 (General restrictions), I feel qualified to express my concern that this development should be allowed to "get away with" exceeding its permitted limits and restrictions.

If the phrase "Stringent environmental criteria will be applied in judging whether the appearance and siting of such proposals are acceptable" means anything, and can be used to limit extensions to a private house, how much more should such criteria be fully applied to controlling what is fast becoming a major commercial centre within the Green Belt boundaries.

I look forward to hearing that Wyvale Garden Centre have been instructed to bring their development within the permitted and agreed limits.

Yours faithfully

Richard V.S.Lloyd

TO: **DEVELOPMENT CONTROL**
Heather Morgan

FROM: Environmental Design

DATE: 5 June 1999

Location:	Wyevale Garden Centre, Bath Road, Wargrave
Proposal:	Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)
Application Number:	C/2000/1164

In response to your consultation dated 18 April 2000 for the above application, the landscape comments are as follows:

I believe that the height of the garden centre building is slightly taller than in the original scheme, and that additional planting has been agreed to help reduce the impact of the building from the road. This is acceptable, and having spoken to the landscape architect, the planting will be shown on a revised landscape scheme.

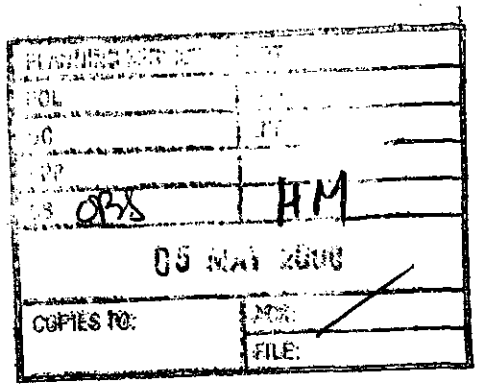
Catherine Brimble

Catherine Brimble
Landscape Architect

(3)

01/8 9403678





A'Bear's Corner.
Hare Hatch.
Twyford.
Berkshire.

30th April 2000

Dear Sir,

Wyevale Garden Centre Bath Road, Hare Hatch.
Planning Consent 99/70375/F

With reference to our recent letter regarding the above and the increase height of the building in a Green Belt Rural Area that the application to retrospectively in crease the height is refused and that an enforcement order to reduce the height to that originally approved be issued.

Yours faithfully,

L. & R. Willett

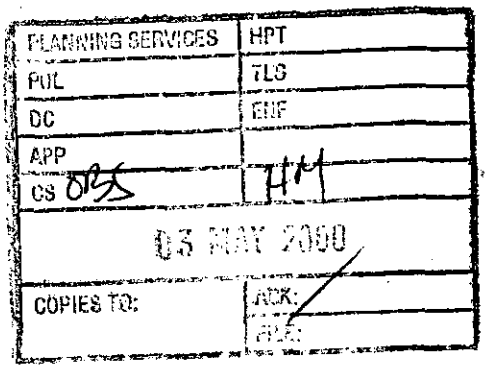
L.& R. Willett

Mr. Chris Wood,
Head of Planning & Transportation,
Wokingham District Council,
Shute End,
Wokingham,
Berkshire.

Hare Hatch & Kiln Green Residents Association
c/o Old Trees, Hare Hatch, Bath Road, Reading, Berkshire RG IO 9SP.

Your ref: F/2000/II64.

I May 2000.



Mr C.Wood,
Head of Planning and Transportation,
Wokingham District Council,
Shute End,
Wokingham,
Berkshire RG40 IWR.

Dear Mr Wood,

Re: Wyevale Garden Centre, Bath Road, Hare Hatch.
Application No F/2000/II64(Amendment to consent 99/70375/F).

I refer to previous correspondence with respect to the above site. The submission of this revised application after the development has taken place should in our opinion not be allowed. It strikes us as a serious breach of the entire planning procedure and makes a mockery of the whole process. Retrospective submissions however seem to be the rule on quite a number of developments in this area. It is abundantly clear to us that the applicantsknow that it is extremly unlikely that it will be refused or an enforcement order issued to take the building down.

In considering the front south elevation which is clearly higher than the previously approved scheme and blatantly ignores the applicants own letter which stated that the new building would not be as high as the existing one, albeit that it had outserved its use and would be taken down. The previously approved elevation gives the impression that the frontage would be fully glazed above a solid upstand now seen as brick, whereas the right hand element employs an opaque material which returns on the side east elevation. This in our opinion is most unfortunate as it takes away the lightness in appearance and looks more industrial/ business park.

Whilst we appreciate that storage must be accommodated, it would have been preferable to locate it in the rear part of the building where it would have been nearer to the service yard. An opaque treatment here would have had less visual impact and would have provided an appropriate backgroond to the great variety of items on display in the area leading to the northern boundary of the site.

Finally, we feel that in the overall development of this site the opportunity to create a much needed roundabout has been lost. The quing witnessed today on the A4 in both directions illustrates the seriousness of the situation. At the time of the first planning application by Kennedy's early in I994- application 39452, the Residents Association wrote to the Wokingham District Council pointing out the desirability of constructing such a roundabout which would take into account London Road, Momberry Hill, the A4 and the proposed entrance/exit to Kennedy's which incidently, was more or less in same position as it is today. We were aware that considerable cost would be involved in the re-routing of services to facilitate this and that it would be reasonable for Kennedy's to make a substantial contribution towards this. Some short time later we were most interested to read in Wokingham Disrict Council's Newspaper that a roundabout was scheduled at this junction.....

We trust that the points we have made will be considered before a decision is reached in this matter.

Yours sincerely,

Martin T.M.Gradon.
Chairman.

(2) prior to applic

Appletree Cottage
Tag Lane
Hare Hatch
Reading
RG10 9ST.

30 March 2000

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS 015	HM
06 APR 2000	
COPIES TO:	ACK:
	FILE:

Chief Planning Officer
Wokingham District Council
Shute End
Wokingham

Dear Sir

Re: P/A No. 99/70375/F
Wyevale Garden Centre

As you are aware, the main building at Wyevale Garden Centre has been constructed to a height of approximately 5 feet in excess of the approved plans.

I understand that you requested that building work be stopped but, as you probably know, the

building has now been completed in defiance of this instruction.

As a member of the Hove Hauck and Kith Green Residents Association for the past 15 years, I have noted numerous instances of developers in this area flouting planning regulations and going unpunished. As your predecessor, Eric Koenig once remarked to me in an unguarded moment: "We are not in the business of pulling things down."

I should like your assurance that this mockery of planning regulations will not be allowed on this occasion, or in the future. There should be no question of reapplication or retrospective granting of permission. Wyevale should comply with the regulations or suffer the consequences.

Yours faithfully

Gillian Crossley

The Planning Inspectorate

VP1

An Executive Agency in the Department of the Environment and the Welsh Office

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0117-987-8927
Switchboard 0117-987-8000
Fax No 0117-987-8769
GTN 1374-8927

Stansgate Planning Consultants
11 Shrieve's Walk
Sheep Street
STRATFORD UPON AVON
Warwickshire
CV37 6JJ

CASE COPIED BY
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01482-310566

Your Ref:
KW/2042
Council Ref:
ACT 129/5/95 W950513
W950937
Our Ref:
APP/C/95/T3725/640999
APP/T3725/A/95/260766
APP/T3725/A/95/260767
Date:
08 JAN 1997

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTIONS 78 AND 174 AND SCHEDULE 6
PLANNING AND COMPENSATION ACT 1991
APPEALS BY MR M KAVANAGH
LAND AND BUILDING AT OAKLANDS, HAYWOOD LANE, BADDESLEY CLINTON

1. As you know, I have been appointed by the Secretary of State for the Environment to determine your client's appeals against an enforcement notice issued by the Warwick District Council and against 2 refusals of planning permission by the same Council, both concerning the above-mentioned land and buildings. I held an inquiry into the appeals on 19 and 20 November 1996 and I visited the site and its surroundings on 21 November 1996.

THE NOTICE

2. (1) The notice was issued on 3 November 1995.

(2) The breach of planning control alleged in the notice is the failure to comply with Condition No.3 subject to which planning permission (No.W940797) was granted on 16 August 1994 for alterations and extensions at ground and first floor at Oaklands, Haywood Lane, Baddesley Clinton.

(3) The condition in question is as follows:-

> "The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans and specifications and shall not be altered thereafter, unless otherwise agreed in writing by the District Planning Authority"

(4) The notice alleges that this condition has not been complied with in that:-

"The building known as "Oaklands" has not been altered and extended in accordance with the approved plans namely:

(a) The width of the single storey playroom/utility room wing exceeds the width shown on the approved plans. The width as measured on the front elevation (West) is for example 4.4 metres instead of 3.3 metres as approved by the Council.

(b) The width of the two storey lefthand wing of the building (when viewed from the road and comprising on the ground floor the sitting room) exceeds the dimensions as shown on the approved plan, for example, the width of the wing as measured on the front elevation (west) is 6.0 metres instead of 4.4 metres as approved by the Council.

(c) The size and design of the windows on the front, side and rear elevation are not in accordance with the details shown on the approved plans, for example the windows on the front elevation gable are wider than approved with top opening vents and include the introduction of a small circular window at second floor level.

(d) The depth of the two storey wing on the rear elevation (east elevation) adjacent to the single storey playroom/utility room extension exceeds the depth shown on the approved plan for example the distance from the rear wall of the utility room to the rear wall of the dining room, as measured to the double door elevation is 5.2 metres instead of 4.2 metres as approved by the Council.

(e) The lefthand wing of the building (when viewed from the road) has been provided with a gable at the same height as the principal ridge of the building instead of a more modest quarter hipped roof with a ridge line one metre below the principal ridge."

(5) The requirements of the notice are to:-

"Modify or re-build the main building and single storey wing as necessary to bring the development into conformity with the approved plans, in particular (but without prejudice to the generality of this requirement) by:

(a) reducing the width of the single storey wing (playroom/utility room) to 3.3 metres (as measured at bottom of window cill level) and changing the size, position and design of the window on the front elevation to conform with the dimensions and details as shown on Drawing 739 01 dated May 1994, Revision D.

(b) reducing the width of the two storey lefthand wing of the building by demolishing the side which incorporates the chimney feature to 4.4 metres generally (as measured at bottom of ground floor front elevation window cill level) and changing the size, position and design of the windows on the front, side and rear elevation to conform with the dimensions and details shown on Drawing 739 01 dated May 1994, Revision D.

(c) altering the size, position and design of the windows on the front side and rear elevation, where necessary, to conform with the details shown on Drawing 739 01 dated May 1994, Revision D.

(d) reducing the depth of the two storey wing on the rear elevation (east elevation) adjacent to the single storey playroom/utility room extension to 4.2 metres (as measured from the rear wall of the utility room to the ground floor double door entrance in the rear elevation) to conform with the dimensions shown on Drawing 739 01 dated May 1994 Revision D.

(e) providing a quarter hipped roof on the front elevation of the lefthand wing of the building to conform with the details shown on Drawing 73901 dated May 1994, Revision D."

(6) The period for compliance with these requirements is 6 calendar months.

3. You point out that some of the measurements referred to in the notice are not correct. The Council accept this; I shall therefore correct the notice accordingly.

GROUNDS OF APPEAL

4. Your client's appeal against the enforcement notice is proceeding on the grounds (a), (f) and (g) as set out in Section 174(2) of the 1990 Act as amended by the Planning and Compensation Act 1991.

THE APPEALS UNDER SECTION 78

5. The developments for which the Council have refused planning permission are described on the relevant application forms as

(i) Alterations and extensions to existing dwelling, erection of front boundary wall and gates (Application No:W950513);

(ii) Retention of alterations and extensions carried out to dwelling except for playroom which is to be demolished. Provision of new timber gates with brick piers. Retention of front boundary wall other than intermediate piers (Application No:W950937).

PLANNING HISTORY

6. A two-storey detached house was original built at the appeal site many years ago, probably in the late 1930s. It is agreed by you and the Council that its total floorspace, including a brick-built store, was 144m². In 1994 your client applied for planning permission to alter and extend the original dwelling. This application (No:W940553) was refused because the Council considered the scale of development proposed to be excessive. Later that year your client made a further application (No:W940797) for alterations and extensions. The dwelling then proposed would have had 215m² floorspace. This application was approved. Building commenced but the development was completed not in accordance with the approved plans. In May 1995 your client made an application to retain the dwelling as built (No:W950513). The Council refused this application because they considered the scale of development to be excessive. In August 1995 your client made a further application to retain the dwelling as built except for its new single-storey playroom which was proposed for demolition (No:W950937). The Council still considered the resultant scale of development to be excessive and refused the application. The 2 Section 78 appeals relate to these last 2 applications. The Section 174 appeal relates to an enforcement notice which, in essence, seeks to modify the house "as built" to create the house "as approved".

THE SITE AND ITS SURROUNDINGS

7. Your client's house, Oaklands, now consists of a mainly two-storey detached dwelling with a sitting room, dining room and kitchen on the ground floor and 3 bedrooms and 2 bathrooms on the first floor. The roof space has a further bedroom and bathroom. The sitting room, main bedroom and bathroom, and the roof space bedroom and bathroom form "the northern wing" of the property. There is a single-storey "southern wing" containing a playroom and utility room.

8. The house sits in its large plot about 15m back from Haywood Lane, a minor country road running south from the village of Baddesley Clinton. To the rear of the property is extensive woodland known as Hay Wood. To the other 3 sides the surroundings are agricultural. To the south there is a detached house, Old Keepers Lodge, and to the south west, approached by a track, is St Michaels Church. The locality is wholly rural in character.

PLANNING POLICIES

9. The statutory development plan comprises the Warwickshire Structure Plan, approved in 1991, and the Warwick District Local Plan adopted in 1995. The former establishes a Green Belt which includes the appeal site. The relevant Green Belt policy is G3. The Council also refer to policy G5, which seeks to conserve and improve the environment, and to policy E5 which indicates that the Arden area is one of Special Landscape quality meriting conservation and protection.

10. The adopted local plan refines structure plan policy G3. The local plan's Green Belt policy, ENV1, indicates that development will not be permitted, except in very special circumstances, for the construction of new buildings other than, inter alia, "limited extension, alteration or replacement of existing dwellings". Local plan policy ENV3 sets out criteria for all development proposals. Policy H14 deals with house extensions throughout the rural

part of the district. It says that "Extensions which would substantially alter the scale and character of a dwelling in the rural area, or which would constitute substantially new development, ie which represent an increase of more than 50% of the floor area of the original dwelling, will not normally be permitted". Policy C8 indicates that within Special Landscape Areas proposals will be required to conserve and where possible enhance the special character of these landscapes. The appeal site is within the Arden Special Landscape Area.

11. Government policy on Green Belts is set out in PPG2. It indicates that the construction of new buildings inside a Green Belt is inappropriate unless it is for, inter alia, "limited extensions, alteration or replacement of existing dwellings". The policy goes on to say "Provided that it does not result in disproportionate additions over and above the size of the original building, the extension or alteration of dwellings is not inappropriate in Green Belts". PPG2 makes it clear that "inappropriate" development is by definition harmful to the Green Belt and that such development should not be approved except in very special circumstances.

THE GROUND (a) APPEAL AND APPLICATION W950513

12. From all that I have heard, seen and read of relevance I consider that the main issue raised by these appeals is whether the development carried out at Oaklands is appropriate within a Green Belt and, if not, whether there are very special circumstances sufficient to outweigh the harm to the Green Belt, and any other harm, thereby justifying making an exception to the presumption against such development.

13. You calculate that the house as built has a floorspace of 259m² on its ground and first floors, amounting to an 80% increase over the original dwelling. The Council make a different calculation, adding in the bedroom and bathroom floorspace on the second floor. This gives a floorspace of 290m² which is 100% larger than the original dwelling.

14. In my view an increase of either 80% or 100% cannot, in this particular case, be properly regarded as a limited extension of the original dwelling. I say this not just because of the percentage increase in floorspace but because a visual comparison of the original dwelling (as shown in your photographs) with the house as built clearly indicates to me that a substantially larger house, bearing very little resemblance to the original dwelling, has been created. I consider that the development carried out results in disproportionate additions over and above the size of the original building. The new northern wing with its 3 floors of accommodation, in particular, is very large in relation to the very small single-storey extension that used to exist on the northern side of the original house.

15. I consider, therefore, that the development carried out is inappropriate in the Green Belt having regard to local plan policy ENV1 and to Government policy in PPG2. In addition it is, in my view, contrary to policy H14 of the adopted local plan, for two reasons. First the extensions carried out have I believe substantially altered the scale and character of the original dwelling, particularly when viewed from the front, that is, from the lane. To my mind this is self-evident from a comparison of the front elevations of the original house and the house that now exists. For example, the former had a much smaller area of front wall and a small main roof in comparison to the latter. The former featured far fewer windows and none, unlike the house as extended, were bays. Secondly, the policy defines

"substantial new development" as being an increase of more than 50% of the floor area of the original dwelling. As written it is not, as you argue, just a guideline. Nor does the use of the word "normally" in the policy mean that proposals over 50% can be consistent with the policy. The word simply indicates that exceptions to policy can sometimes be made.

16. This inappropriate development harms the fundamental attribute of the Green Belt which is its openness. The house as extended reduces the openness that used to exist around the original house. There are no calculations of the volume of the original house and the volume of the house as now exists but it is clear that the extensions have reduced the openness of the appeal site. This reduced openness is, in my view, mitigated to some extent by the facts that the house sits in a large curtilage and that some of the reduced openness, at the rear, is not readily noticed from public viewpoints.

17. The Council are also concerned about harm to the Special Landscape Area (SLA). The appeal site is within the "Parklands" sub-division of the Arden SLA but is close to the "Pastures" sub-division. Oaklands is close to Hay Wood, a significant landscape feature of the Arden SLA. I have considered the attributes of the Arden SLA as described in the Arden Landscape Guidelines document. I note in particular the very rural undeveloped, attractive character of Haywood Lane. Oaklands can be seen as one passes by along the lane and it is readily seen from medium-distance viewpoints along the lane to the south. It appears, in my view, as a large modern dwelling lacking harmony with its surroundings. However, it has to be remembered that a house existed on this site for many years. It too, in my view (based on the photographs) had little in sympathy with its surroundings though its impact would probably have been less due to its smaller size and to screening by vegetation which has since been lost.

18. The alterations and extensions do nonetheless, in my view, harm the Green Belt and the SLA and the development is contrary to local plan policies ENV1, ENV3, H14 and C8. Consequently I turn to see whether there are very special circumstances sufficient for an exception to policy to be made.

19. Your case, if I find the development to be inappropriate in a Green Belt, is that very special circumstances do exist. First, there is in your view only a marginal difference between the house as built and as would result if the enforcement notice were complied with (ie as approved). The impact of one would not, you believe, be materially different to the impact of the other. Second, the cost of the conversion works would be very high, not commensurate with what would be achieved and cannot be afforded by your client.

20. The first of these considerations is an important matter. There is now no question of reverting back to the original dwelling. If the dwelling as built is not significantly different to the dwelling as approved, in terms of visual impact, then that would in my view constitute very special circumstances and it would serve no useful purpose to require extensive conversion works. Thus a comparison between the two is, in this particular case, the key consideration upon which my ultimate decisions turn.

22. Compared to the dwelling approved the Council have, it seems to me, two basic criticisms of the house as built, its design and its size. In relation to design the Council consider that the approved dwelling would be more rural, and less suburban, in character. They prefer, for example, the quarter-hipped gable for the northern wing featured in the

approved plans plus the smaller windows that would have been provided (particularly on the front of the north wing). The windows should they argue be side-hung casements as originally proposed rather than top-opening quarter pane units of the type installed.

23. In my view the intrinsic design of the house as built is not significantly more rural in character than the approved dwelling. In fact I tend towards sharing your architect witness's view that the narrower gable with quarter hip shown on the approved plan is meaner and more suburban in character than the wider country-house gable look as built. It is largely a matter of opinion and detail. The house as built is not of obviously poor design nor does its design have, in my view, a more harmful impact on the Green Belt or SLA than the house as approved.

24. The Council's main criticism is that of the size of the dwelling as now built together with the design now employed. The northern wing as built is wider and taller and deeper than as approved, the dining room wing at the rear of the house is longer, and the playroom is wider (as described in the notice). Although length, width and floorspace are indicators of size they are not the only criteria of relevance when judging impact. The overall bulk or volume of the building and the degree to which the building mass can be seen and how it relates to its surroundings are also relevant. To a degree this is a matter of judgement rather than measurement. I have assessed relative impact from directly in front of the dwelling, from the lane to the north and from the lane to the south since these are the places where the house has an impact.

25. From the lane in front of the property the house as built is a very dominant feature. So too would it be if it were built in accordance with the approved plans. The extra height and width are, in my view, insignificant in relation to the development as a whole (including the large detached garage). The general impression of the house as approved would be very much like that of the house as built. Most people would, in my view, find the differences to be quite unremarkable.

26. From much of the lane to the north of the house no views of it are obtained due to roadside hedgerow and trees. There is a partial sighting of its northern elevation but in this view the landscape dominates and the extra height of the northern wing is insignificant.

27. From the lane to the south of the property the whole of the southern elevation of the dwelling can be seen. It looks bulky and lacks sympathy with its surroundings. So too, in my view, would the house as approved. The extra height and mass of the northern wing, as built compared with as approved, is noticeable as it is seen against a background of sky rather than trees. It is therefore possible to appreciate the extra loss of openness involved. I do not consider, however, that the harm now caused is significantly worse than the harm that would still arise if the conversion works were carried out. I believe that most people would perceive the overall impact as roughly equal.

28. During my site inspection I viewed the property from the footpaths to the west and south, viewpoints of some concern to the parish council. However little is seen of Oaklands from these footpaths and views that are obtained are partial or heavily filtered by trees. In some views the house is seen against a backcloth of trees making it appear recessive in the landscape. From these viewpoints the extra mass of the building is insignificant.

29. I have borne in mind the variation in views obtained through the seasons but my overall conclusion is that the house as now built does not have a significantly greater harmful impact on the Green Belt or SLA than the house as approved. There are therefore very special circumstances justifying the grant of planning permission. There is no need for me to comment on your client's personal circumstances. Nor do I consider that the front boundary wall, railings and gates (now largely in place) are so harmful or unusual in the locality that they need to be demolished. Indeed I see that the enforcement notice does not demand their replacement as one of the steps required to remedy the breach of control or any injury to amenity.

30. The Council put forward two possible planning conditions if consent is to be granted. One relates to a suggested landscaping scheme. I note however that your client has already carried out some boundary planting to the front and southern side of his property. You say he intends to do more. It is unlikely however that any landscaping could change the impact of those building elements of concern to the Council (eg the extra width and height of the northern wing); I consider that in these circumstances a landscaping condition is neither necessary or reasonable. Nor in my view, given the large size of the property's curtilage is the suggested condition removing permitted development rights for development within the curtilage of a dwelling house.

31. I have considered all the other matters raised in relation to these appeals but none lead me to alter my conclusions. The appeal on ground (a) therefore succeeds and the enforcement notice will be quashed. I shall grant planning permission for the application deemed to have been made for the operations previously permitted, without complying with the condition enforced against. The appeals on grounds (f) and (g) do not fall to be considered. I shall also grant planning permission for application No:W950513.

APPLICATION W950937

32. It follows from my above conclusions that I consider that planning permission should be granted for this application since the issues raised are essentially the same. I can see no objection to the demolition of the playroom or to the alternative boundary treatment. The Council's concern about the view of the southern elevation without the playroom, and the resultant expanse of plain wall, is in my view a minor design criticism given the distance involved in views of the house from the lane to the south. I shall therefore grant planning permission, without conditions (for the reasons given above), though I realise that the consent will very probably not be implemented. In view of my decision on W950513 there is no need for a condition requiring the demolition of the playroom.

FORMAL DECISIONS

The Section 174 Appeal

33. For the above reasons and in exercise of the powers transferred to me, I correct the enforcement notice by

(i) deleting the reference in paragraph 4.1(b) to 6.0m and substituting therefor 5.7m

(ii) deleting the reference in paragraph 4.1(d) to 4.2m and substituting therefor 4.3m

(iii) deleting the reference in paragraph 6.2(d) to 4.2m and substituting therefor 4.3m

Subject thereto I allow your client's appeal and quash the enforcement notice as corrected. I hereby grant planning permission on the application deemed to have been made under S177(5) of the amended Act, for alterations and extensions at ground and first floor level at Oaklands, Haywood Lane, Baddesley Clinton, without complying with Condition N.3 attached to the planning permission No.W940797 granted on 16 August 1994 by the Warwick District Council.

The Section 78 Appeals

Application W950513

34. For the above reasons and in exercise of the powers transferred to me, I hereby allow this appeal and grant planning for alterations and extensions to existing dwelling, erection of front boundary wall and gates at Oaklands, Haywood Lane, Baddesley Clinton, in accordance with the terms of the application (No.W950513) dated 3 May 1995.

Application W950937

35. For the above reasons and in exercise of the powers transferred to me, I hereby allow this appeal and grant planning permission for the retention of alterations and extensions carried out to the dwelling except for playroom which is to be demolished; provision of new timber gates with brick piers; retention of front boundary wall other than intermediate piers; at Oaklands, Haywood Lane, Baddesley Clinton, in accordance with the terms of the application (No.W950937) dated 16 August 1995.

36. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

RIGHTS OF APPEAL AGAINST DECISION

37. This letter is issued as the determination of the appeals before me. Particulars of the rights of appeal against my decisions to the High Court are enclosed for those concerned.

Yours faithfully

P. A. Taylor

P A TAYLOR BSc(Hons) DipTP MRTPI
Inspector

DEVELOPMENT CONTROL/BUILDING CONTROL CHECKLIST

CHECKLIST WHEN A BUILDING REGULATION APPLICATION HAS BEEN RECEIVED.

SITE DETAILS		CASE OFFICER
PLANNING APPLICATION NUMBER	1164	HM.
BUILDING CONTROL NUMBER.	BR 1999/0002	Andy
APPLICANT/AGENT		
ADDRESS OF SITE	Wyevale Garden Centre Bath Road WITCHAMPTON	
DESCRIPTION OF PROPOSED WORK		

DRAWING NUMBERS	BC	DC
BLOCK PLAN		
ELEVATIONS		
FLOOR PLANS		

CHECKLIST	1ST CHECK	2ND CHECK
PERMITTED DEVELOPMENT		
APPLIC. NECESSARY-NOT RECEIVED		
APPLIC.RECEIVED & APPROVED		
APPLIC.RECEIVED-NO DECISION		
APPLIC.REFUSED	19/7/00	
DIFFERENCES BETWEEN DC/BC DRAWINGS		
IF YES, WHAT ARE THE DIFFERENCES ?		
DATE		

PROBLEMS	REQUESTED	RECEIVED	REMINDER
PLANNING PERMISSION NEEDED			
REVISED PLANS NEEDED			
PLANNING APPLIC.REFUSED			
WAIT FOR PLANNING DECISION			

COMMENCED ON SITE	
NO PLANNING DECISION	
NO PLANNING APPLICATION	

Helen Felice Scott will say: I am Director of Malcolm Scott Consultants Ltd., Town and Country Planning and Landscape Design Consultants and Architects.

I hold a Bachelor of Arts Honours Degree in Geography, and a Post-Graduate Diploma in Town and Country Planning. I am a Member of the Royal Town Planning Institute.

I was employed in various planning capacities in several different local planning authorities before a career break in 1975. After that break I was a partner with Malcolm Scott Partnership from its inception in 1981. In 1996 the Partnership was incorporated into Malcolm Scott Consultants Ltd.

I was instructed in town planning matters relating to this appeal in July 2000 and I am here to give professional evidence.

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WYEVALE GARDEN CENTRE, FLORAL MILE, HARE HATCH, TWYFORD, READING, BERKSHIRE, RG10 9SW

APPEAL BY KENNEDYS GARDEN CENTRES LTD, KINGS ACRE ROAD, HEREFORD

TOWN AND COUNTRY PLANNING ACT 1990; APPEAL UNDER S.78

SUMMARY OF
PROOF OF EVIDENCE OF HELEN F SCOTT, BA (Hons), Dip TP, MRTPI

REFUSAL OF PLANNING PERMISSION FOR REVISED ELEVATIONS TO GARDEN CENTRE BUILDINGS REF: PLANNING PERMISSION 99/70375/F

DETR ref: APP/XO3O/A/00/1053278

Malcolm Scott Consultants Ltd
Grove House, 1 Loves Grove
Worcester, WR1 3BU
Tel: 01905 726353
Fax: 01905 611221

C0053/HFS/TH
February 2001

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CONSULTANTS LTD

The appeal site (3.6ha) lies in a rural area containing considerable development.

It comprises a garden centre containing a number of buildings and extensive areas of hardstanding including an outside sales area car parking and internal access roads.

The main glasshouse buildings are set back by some 30 metres at the closest point from the A4. Dense landscaping largely screens the frontage of the A4.

Opposite the site lies a nursery, containing glasshouses, polytunnels, a barn (higher than the appeal glasshouses) and outdoor sales areas. To the west lies a substantial office complex, with a footprint of some 500m², and at over 9m high substantially higher than the appeal buildings, with hardstanding and car parking. To the north is agricultural land, with the exception of a dwelling house to the northeast. To the east of the site lie a number of dwellings comprising Hare Hatch.

A planning application for extensions, approved in principle in 1992, was withdrawn when the requisite highway improvement agreement was not completed.

Planning permission 97/65329/F was granted on 2 July 1999, for the erection of two glasshouses, extension to existing car park and alterations to access. An Agreement was entered into relating to highway improvements. The parabolic structure and the glasshouses to the north were to remain and a two span glasshouse extension to the west and 4 span glasshouse extension to the east were to be erected, height 5.1m to the ridge. The parabolic structure is 7.1m to its highest point. The permitted floorspace was some 2600m². It has not been implemented.

Planning permission 99/70375/F was granted on 1 February 2000 for 'proposed erection of replacement buildings at centre (amendment to approval 97/65329/F)'. The new owners, being the appellants, preferred a more comprehensive approach than that approved. Permission was granted for the replacement of the existing structures with a two span glasshouse and the erection of a three span glasshouse extension to the east resulting

in a five span glasshouse. The three eastern glasshouses had ridge heights of 4.7m with the two western glasshouses being 4.2m to the ridge. The proposed footprint was 2530m².

A substantial part of the redevelopment of the garden centre buildings has taken place, albeit in error, not in accordance with the approved plans. The two smaller spans now flank the development rather than lying to the west. The smaller glasshouses have been erected 1.1m higher and the larger glasshouses 1.7m higher than the highest point on the approved elevations. Application F/2000/1164 dated 31 March 2000 for planning permission for 'revised elevations to garden centre building ref: planning permission 99/70375/F' was made in order to regularise the situation. The subsequent refusal is the subject of this appeal.

The proposal is retrospective for the retention of the existing three eastern-most spans and the two half bays forming the north west corner of the garden centre building and prospective for the replacement of the parabolic structure with glasshouses to match the existing recently constructed glasshouses. It comprises a five span glasshouse with ridges running north to south. The three larger central spans have a height of 6.4m to the ridge. The two outer glasshouses have heights of 5.8m to ridge.

The Head of Planning reported to the Development Control Committee on 28 June 2000 while the structure would have a greater visual prominence than as approved "the gable ends, substantial landscaping and distance from the Bath Road are such that the proposal would not be detrimental to the open/rural character and nature of the Green Belt" and "that the proposal would not have a detrimental impact on the visual amenity of the street scene".

Notwithstanding the approval recommendation, planning permission was refused on 19 July 2000 because the "*..increased height, mass and bulk would result in a visually intrusive form of development, detrimental to the open character of the Green Belt..*".

The principle of the redevelopment of the garden centre buildings involving the demolition and replacement has been established by previous planning

permission, as was accepted by the Head of Planning in his report to the Committee.

The only issue therefore is the visual impact of the development on the open character of this part of the Green Belt. The Development Control Manager has confirmed in a letter dated 20 October 2000 his agreement that:

> *"Notwithstanding that the refusal refers to "height, mass and bulk", the Reports and correspondence make clear that from the Council's point of view the objection is in reality based solely on the height of the buildings. The Council's concern is as to the openness of the Green Belt. There is no issue regarding design (apart from height) or materials or landscaping."*

The Council's Statement of Case correctly but for the first time refers to a resulting increase in footprint. No separate issue arises as a result of it. My assessment of visual impact has always related to the buildings as they would appear when completed.

It is respectfully submitted that this appeal turns essentially on planning judgement rather than policy. However, insofar as policy is relevant, the key policies relate to the openness of the Green Belt, Environmental Impact and Sustainability.

Policy C4 of the Structure Plan, Policy 1 of the Berkshire Green Belt Local Plan and Policy WGB1 of the emerging Local Plan set out the presumption against inappropriate development in the Green Belt.

The principle of the redevelopment of the garden centre has been established. In so far as they are applicable, the proposal complies with the Green Belt policies. No issue arises relating to scale, form, character or siting. The only issue is the visual impact of the development on the Green Belt. The impact on the openness of the Green Belt is no greater than that of the earlier permission. The proposals are more attractive than those previously permitted by way of their symmetry and simple clean lines giving a well-executed, elegant result. The flanking smaller glasshouses serve to integrate the building into its surroundings. The increase in height would not have any greater impact on the appearance of the area, it will be

imperceptible as the appeal structures when complete will be read as one unit rather than in the context of what was previously on site, or previously permitted. The site itself is characterised by structures and hardstandings and the locality contains a number of buildings some of which are of a greater height than the appeal proposals. The associated landscaping enhances the environment of the site.

Policy LD1 of the Berkshire Structure Plan and Policy WOS1 of the emerging Local Plan and WBE4 support the principles of sustainable development. The proposals make a positive contribution to the landscape and amenities of the locality by way of visual enhancement resulting from the balanced and attractive elevations and landscaping associated with the development. Dismissal of the appeal would almost certainly lead to a requirement for the appellant to demolish the new glasshouses and rebuild in accordance with planning permission 99/70375/F. This would constitute a serious waste of resources, not to mention the considerable cost to the appellants thus conflicting with the sustainability polices.

Policy LD3 of the Structure Plan and WOS5 of the emerging Local Plan are concerned with the environmental impact of development. There is no unacceptable environmental impact, nor does the Council suggest that there would be serious harm to the character of the area or amenities of neighbouring land uses. My earlier comments on the quality of design and lack of impact of the increased height also apply here.

Policy WOS3 sets out the development control principles for development.

The appeal proposal complies with the criteria in so far as they are applicable.

The appeal proposals help to fulfil the aims of sustainability set out in PPG1: General Policy and Principles . The design of the proposed development is consistent with relevant design policies and in these circumstances PPG1 states that planning permission should not be refused on design grounds.

PPG2: Green Belts states that the most important attribute of Green Belts is their openness. The proposal will have no more of an impact on the openness of the Green Belt than the previous planning permission.

The guidance states that the visual amenities of the Green Belt should not be injured by proposals for development within the Green Belt which might be visually detrimental by reason of the siting, materials or design.

The appeal proposals will have no detrimental impact on the visual amenities of the Green Belt.

The consequence of dismissal of the appeal is a material consideration. The resultant requirement to demolish the existing structures would waste structural and landscape materials, contrary to the principles of sustainability in PPG1, Policy LD1 of the County Structure Plan and Policies WOS1 and WBE4 of the emerging Local Plan. No identifiable planning purpose would be achieved, as the glasshouses are not visually detrimental by reason of their height, nor indeed by any other reason.

The appeal proposal complies with the provisions of the Approved and Emerging Development Plan and with Central Government Guidance. There are no material considerations to indicate that the Development Plan policies should not be followed. There are material considerations which indicate the appeal should be allowed. In all circumstances the Inspector is urged to allow the appeal.

C0053/HFS/TH
5 February 2001
(wyfnlprf)

SUMMARY

PROOF 0F EVIDENCE OF

MICHAEL EVANS
BA, MA, MPHIL and DIPTP

APPEAL BY KENNEDY GARDEN CENTRES LTD AGAINST THE REFUSAL OF PLANNING PERMISSION FOR THE REDEVELOPMENT OF EXISTING GARDEN CENTRE AT KENNEDYS GARDEN CENTRE, BATH ROAD, WARGRAVE

LOCAL PLANNING AUTHORITY REFERENCE : F/2000/1164

DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS REFERENCE : APP/X0360/A/00/1053278

Wokingham District Council
Environmental Services Department
Civic Offices
Shute End
Wokingham
Berkshire
RG40 1WR

1.00 PLANNING POLICIES

1.01 The Berkshire Structure Plan (BSP) was originally adopted in 1995 and alterations were adopted in 1997. The BSP is therefore part of the statutory development plan for the area. The relevant policy is:

C4 Control of Development in the Green Belt

1.02 The Green Belt Local Plan for Berkshire (GBLP) was adopted in 1985 and therefore also forms part of the statutory development plan. The relevant policy is:

Policy 1

1.03 The Draft Deposit Wokingham District Local Plan (DDWDLP) is an emerging local plan. It has been subject to a Public Local Inquiry, the results of which are awaited. The relevant policy is:

WGB1 Development in the Metropolitan Green Belt

2.00 THE COUNCIL'S CASE

2.01 In the view of the Council the main issues in the consideration of this proposal are:

Whether the proposal detracts from the open character of the green belt and is therefore contrary to policies designed to protect the green belt.

Whether any other considerations would outweigh this harm.

2.02 To summarise the Council's position : decisions taken by the Council in 1992, 1997 and 1999 (Applications 39452, 97/67329F and 99/70375F) reflected a desire to secure visual improvements in the form of some consolidation of

the scatter of small buildings, and highway benefits. The 1992 proposal involved roof heights of 4.7m(ridge height) and 2.9m(valley height). In the absence of a concluded S.106 agreement relating to highway improvements, that permission was not issued. In 1997, a new scheme was proposed and the roof heights of the new build sections not exceeding 5m.

2.03 Members were concerned about the impact upon the green belt. However, in view of the principle of redevelopment established by the 1992 decision, and because this was a lighter scheme combined with the previous highway benefits, permission was granted, conditional upon the conclusion of a s.106 agreement. In 2000, a further scheme was approved. This secured removal of the central 7m high section. The roof heights did not exceed 4.6m. The scheme was acknowledged to have a reduced impact on the green belt.

2.04 The above series of decisions represented a progression towards the visual improvement of buildings which are considered inappropriate to the openness of the green belt. The development now under construction, the subject of the appeal, represents a retrograde step in that it exceeds the height of the new build previously approved.

Impact on the green belt

2.05 The proposal involves a significant increase in height and there is also an increase in footprint in relation to the existing consent under Application 99/70375/F. and represents increased floorspace to a total of 2818 square metres instead of 2530m/2 approved under the 1999 consent.

2.06 The existing consent is for a scheme with five ridgelines. These have a height ranging from 4.1 to 4.6 metres. The appeal proposal has the same five ridges which have heights ranging from 5.3 to 6.4 metres.

2.07 The scheme put forward in 1997 represented extensions to the existing

building with its central parabolic structure (Application 97/65329/F). This section of the existing building has a maximum height of about 7 metres down to 3.2 metres. It predates the adoption of the green belt local plan in 1985 and would not have been allowed in the current policy context. The extensions permitted under 97/65329/F had a maximum height of 5 metres and the proposal involved retention of the central parabolic structure. That scheme, although it retained the obtrusive central section, had the advantage of consolidating existing development on the site and also brought the benefit of highway improvements.

2.08 The importance of the subsequent consent 99/70735/F was that it secured the removal of the central parabolic structure and restricted the overall height of built development to 4.6 metres and below.

2.09 The appeal proposal goes beyond either of the previous consents in that the height of the building is raised to above 5 metres at ridge level along its whole roof length. The result is a building with a significantly greater mass than those previously approved.

National Policy Guidance

2.10 Planning Policy Guidance Note 2 paragraph 1.4 emphasises that the most important attribute of green belts is their openness. It states that there is a general presumption against inappropriate development within green belts and that such development should not be approved except in very special circumstances. Paragraph 3.1 refers the reader to Paragraphs 3.4, 3.8, 3.11 and 3.12 for a definition of development which is inappropriate. Paragraph 3.2 says that inappropriate development is by definition harmful to the green belt. It follows that where a proposal is for development which is inappropriate the onus is on the applicant to show that very special circumstances exist to justify approval.

The Berkshire Structure Plan

2.11 Policy C4 of the BSP reflects national policy and states that development in the green belt must be acceptable in scale, form, impact, character and siting to its location in the green belt and should not compromise the purposes of the green belt and the fundamental aim of keeping land permanently open. The appeal proposal does not fall within any of the categories identified in policy C4. Further, the proposal, by virtue of its scale and impact, compromises the fundamental aim of the green belt of keeping land permanently open. The proposal does not therefore meet the requirements of policy C4.

The Green Belt Local Plan for Berkshire

2.12 Paragraph 9.5.5 of the GBLP states that proposals to establish garden centres in the green belt will be resisted. Since the appeal site is a long established garden centre this proposal falls to be considered in the light of the policies relating to development in the green belt generally. Chapter 6 of the Green Belt Local Plan for Berkshire states at Paragraph 6.1.1 that all development in the green belt will be resisted, except for development which will not harm the open, rural or countryside character of the area and development which is essential to the functioning of the area as a tract of open countryside, or development which must of necessity be located in the green belt and for which there is an undisputed public need. Policy 1 carries a presumption against all new building in the green belt.

The Emerging Local Plan

2.13 The draft WDLP has reached an advanced stage of preparation, objections having been considered at a public inquiry in October 1998 to October 1999 and February to November 2000. Policy WGB1 of the draft WDLP identifies what constitutes appropriate development in the green belt. The appeal proposal does not fall into any of the categories Draft Policy WGB1 also requires all development to retain the open character of the green belt and

must be appropriate in terms of scale, form, siting and design. The appeal proposal does not meet the requirements of Policy WGB1 of the DDWDLP.

2.14 The above three policies all require a consideration of the scale and impact of the specific proposal, and its effect on the openness of the green belt. The appeal proposal involves a significant increase in height over that already approved on what will already be a very large building in the green belt, even after the demolition of the parabolic section. The greatest height is also at the front of the building and makes it prominent in views from the A4. As well as the proposal being inappropriate development there is also, therefore, site specific harm.

Other Material Considerations

2.15 The appellant puts forward a number of factors in support of the proposal:

- Whilst there is scope for landscaping, the scale and massing of the building is so great that this would have little immediate effect and in any case is not something which makes inappropriate development acceptable in the green belt.

- The cost of altering the building if the appeal is dismissed can carry little weight. The argument is tantamount to saying that any unauthorised building works should be allowed to remain because there is a cost in remedying such works.

- The distance from the A4 is not such that the proposal is not visible or readily appreciated. There are clear views of the building. In any case green belt policy does not rely on visual impact in assessing the acceptability of development proposals.

3.00 CONCLUSIONS

3.01 For the above reasons the proposal clearly conflicts with Policy WGB1. It should be noted that redevelopment of the appeal site does not fall into any of the categories listed. The policy does state that in all cases development will need to retain the open character of the green belt.

3.02 Any benefit in terms of improved features to visitors and removal of existing buildings is not considered to be a significant benefit outweighing harm to the green belt. The approved scheme would have the same benefit without harming the green belt.

It is therefore respectfully requested that the appeal be dismissed.



APPENDICES TO

PROOF 0F EVIDENCE OF

MICHAEL EVANS
BA, MA, MPHIL and DIPTP

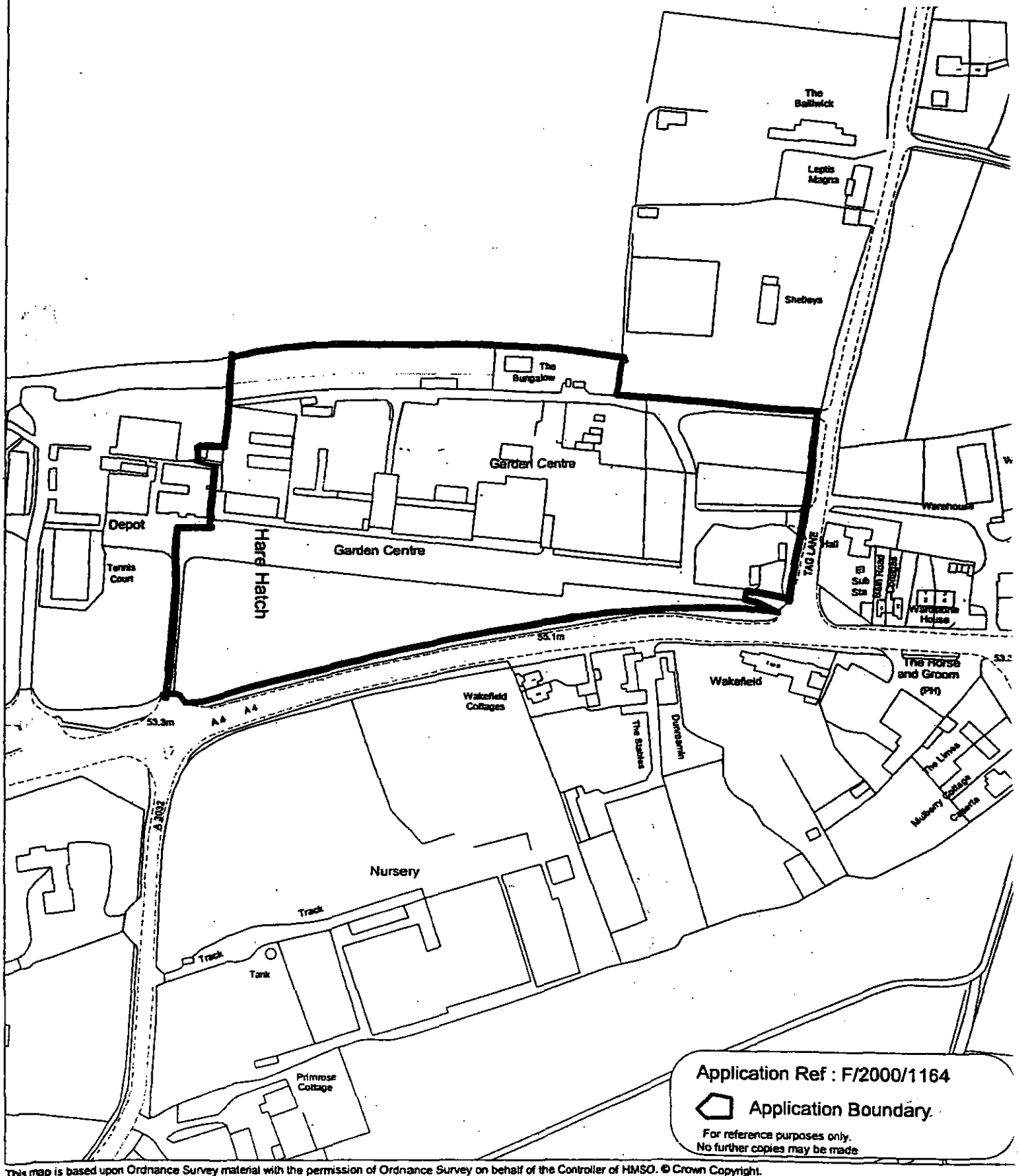
APPEAL BY KENNEDY GARDEN CENTRES LTD AGAINST THE REFUSAL OF PLANNING PERMISSION FOR THE REDEVELOPMENT OF EXISTING GARDEN CENTRE AT KENNEDYS GARDEN CENTRE, BATH ROAD, WARGRAVE

LOCAL PLANNING AUTHORITY REFERENCE : F/2000/1164

DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS REFERENCE : APP/X0360/A/00/1053278

Wokingham District Council
Environmental Services Department
Civic Offices
Shute End
Wokingham
Berkshire
RG40 1WR

Location of Planning Application



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Development Control Section, Environmental Services, Wokingham District Council.

28 June 2000

Scale: 1 : 2500

N W S

REFUSAL OF PLANNING PERMISSION

F
GR

WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT, 1972

TOWN AND COUNTRY PLANNING ACT, 1971

To: KENNEDYS GARDEN CENTRES LTD
C/O DANIELS SURVEYING ASSOCIATES
28 BROAD STREET
WOKINGHAM
BERKS RG11 3TH

WOKINGHAM DISTRICT COUNCIL
COUNCIL OFFICES
SHUTE END
WOKINGHAM, BERKS., RG11 1BN

Application No. 34830 (F)

Proposal:
EXTENSIONS TO GARDEN CENTRE SALES AREA PET FOODS STORE AND SHEEPLANDS FARM SHOP
KENNEDYS GARDEN CENTRE FLORAL MILE BATH ROAD WARGRAVE

The Wokingham District Council in pursuance of their powers under the above Acts hereby REFUSE to grant planning permission in respect of the above development as described in the application and the accompanying plans submitted by you to the Council for the following reasons:

01 The proposed development is contrary to policies of the Replacement Structure Plan for Berkshire in the following matters:(R230)

01 Policy EN3 (General policies limiting the spread of housing development Metropolitan Green belt)(RV19)

01 Policy EN20 (Environment protection and enhancement- Tree cover)(RV34)

02 The proposed development is contrary to a policy of the Green Belt Local Plan for Berkshire which states that:(R233)

02 "Within the area of the Metropolitan Green Belt in Berkshire, approval will not be given, save in very special circumstances, for new building or for the change of use of land or of existing buildings for any purpose other than the following:

A Residential development in the form of infilling within settlements
B Development essential to the use of land for agriculture or forestry
C Mineral extraction
D Appropriate kinds of recreation
E Public utilities which cannot be located elsewhere
F Any other purpose wholly appropriate to a rural area.

continued/-

Application 34830 continued

Stringent environmental criteria will be applied in judging whether the appearance and siting of such proposals are acceptable.

Detailed interpretation of this policy will be by means of Policies 2 to 23 of this local plan."(Policy 1)

03 The extension of the Sheeplands farm shop would allo: the scale and type of sales from that shop to increase beyond a level considered to be appropriate for a farm shop in the Green Belt as specified in section 9.5, Farm Shops, of the Green Belt Local Plan for Berkshire.

04 The proposed increase in retail floor space at the garden centre is considered to be excessive in the Green Belt, especially with regard to the built-up appearance of the site which would result as a consequence of both the sales building and the necessary associated car parking area.

05 The proposed extensions, by reason of their size and position on site, will add considerably to the built appearance and therefore adversely affect the character of this location within the Green Belt and the Area of Special Landscape importance.

Date 16 FEB 1990 ..... District Planning Officer

N.B. A statement of the applicant's rights is attached

Would you please ensure that the Red Public Notice relating to this planning application which the Council sent to you to put on display is now removed, if this has not already been done. This will avoid any confusion by local residents as to whether further applications have been made, and will assist in keeping the countryside and townscapes tidy.

F
FW

PLANNING PERMISSION

WOKINGHAM DISTRICT COUNCIL

LOCAL GOVERNMENT ACT 1972

TOWN AND COUNTRY PLANNING ACT 1990

To: KENNEDYS GARDEN CENTRES LTD
C/O ACL & PARTNERS
68-70 MILL LANE
LONDON
NW6 1NL

WOKINGHAM DISTRICT COUNCIL
COUNCIL OFFICES
SHUTE END
WOKINGHAM, BERKS., RG11 1BN

DRAFT

Application No.39452 (F)

Proposal:
REPLACEMENT BUILDINGS LANDSCAPE CAR PARK WORKS
ALTERERTION TO EXISTING BUILDINGS
FLORAL MILE BATH ROAD HARE HATCH WARGRAVE

The Wokingham District Council in pursuance of their powers under the above Acts hereby GRANT Planning Permission for the carrying out of the above development in accordance with the application and the accompanying plans submitted by you to the Council subject to compliance with the following conditions the reasons for which are specified thereunder.

01 The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (N4)

01 REASON This condition is deemed to be attached by virtue of Section 91(1) of the Town and Country Planning Act 1990. (N4R)

02 Prior to the commencement of development details of the proposed materials shall be submitted to and approved by the Local Planning Authority. (N9)

02 REASON Because inadequate details have been submitted with the application. (N9R)

03 Prior to the commencement of development details of the materials to be used in the ground surface treatment of the proposal shall be submitted to and approved by the Local Planning Authority. (LN13)

03 REASON In the interests of visual amenity. (N13R)

04 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development. (N14)

continued/-

04 REASON In the interests of visual amenity. (N13R)

05 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation. (N15)

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05 REASON In the interests of visual amenity. (N13R)

06 Prior to the commencement of development details of measures to be taken to protect existing trees from damage during development shall be submitted to and approved by the Local Planning Authority. (N16)

06 REASON To ensure that existing trees are protected during development. (N16R)

07 Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any order revoking or re-enacting that Order), no development shall take place under Part 2 of Schedule 2 of that Order without the prior written consent of the Local Planning Authority. (N21)

07 REASON In order to protect the character and amenities of the locality. (N18R)

08 No construction work of any sort within the area covered by the application shall take place between the hours of 7.00 pm and 7.00 am on Mondays to Saturdays and no construction work at all shall take place on Sundays or Bank Holidays except with the prior written consent of the District Planning Authority. (N25)

08 REASON In the interests of amenity and to prevent undue disturbance to existing residential properties. (N25R)

09 No storage, industrial or other business use shall take place outside the buildings except the parking, manoeuvring and loading and unloading of vehicles, except as indicated on the submitted plans. (379H)

09 REASON In the interests of visual amenity. (N13R)

10 No building shall be occupied until the access has been constructed in accordance with the approved plans. (N55)

10 REASON In the interests of road safety. (N54R)

11 No building shall be occupied until vehicle parking and turning space has been provided in accordance with details to be submitted to and approved by the Local Planning Authority. The space shall thereafter be kept available for parking and turning at all times. (N58)

continued/-

Application 39452 continued

11 REASON In the interests of road safety.(N54R)

12 The existing access(es) to the site shall be stopped up, its (their) use abandoned and the footway and verge crossing reinstated in accordance with details to be submitted to and approved by the Local Planning Authority prior to occupation of the proposed buildings.(N61)

12 REASON In the interests of road safety.(N54R)

13 Any gates provided shall open away from the highway and be set back a distance of at least 5 metres from the nearside edge of the carriageway of the adjoining highway.(N63)

13 REASON To ensure that vehicles can be driven off the highway before the gates are opened.(N63R)

14 No building shall be occupied until all the visibility splays shown on the approved drawings have been provided. All these areas shall thereafter be kept free of all obstructions to visibility over a height of 0.6 metres.(N66)

14 REASON In the interests of road safety.(N54R)

15 The development shall be carried out in accordance with the plans received by the Council on 14th March 1994, other than in respect of the car parking and internal access arrangement which shall be the subject of further submission to the Council.

15 REASON For the sake of clarity and because the car parking and internal access arrangements are not in accordance with the Highway Authority's requirements.

Date..... .....
District Planning Officer

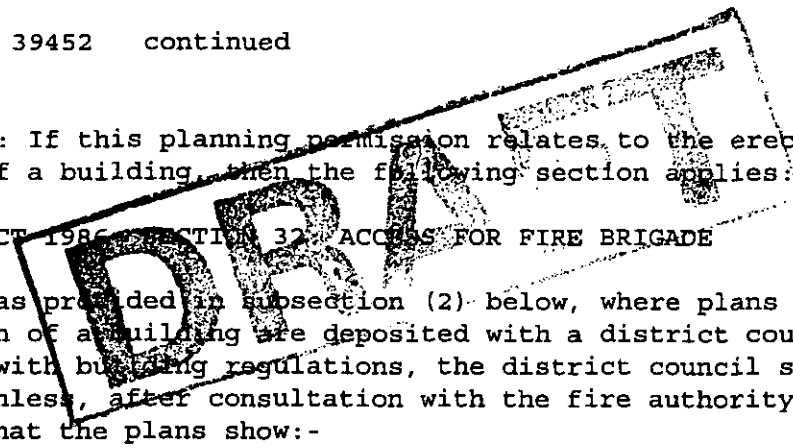
N.B. A statement of the applicant's rights is attached

This permission or approval is for the purposes of the Town and Country Planning Act 1990 only. Approval may also be required under the Building Regulations.

Note: Would you please ensure that the Red Public Notice relating to this planning application which the Council sent to you to put on display is now removed, if this has not already been done. This will avoid any confusion by local residents as to whether further applications have been made, and will assist in keeping the countryside and townscapes tidy.

continued/-

Application 39452 continued



INFORMATIVE: If this planning permission relates to the erection or extension of a building, then the following section applies:-

BERKSHIRE ACT 1986 SECTION 32: ACCESS FOR FIRE BRIGADE

(1) Except as provided in subsection (2) below, where plans for the erection or extension of a building are deposited with a district council in accordance with building regulations, the district council shall reject the plans unless, after consultation with the fire authority, they are satisfied that the plans show:-

(a) that there will be adequate means of access for the fire brigade to the building or, as the case may be, to the building as extended; and

(b) that the building or, as the case may be, the extension of the building will not render inadequate existing means of access for the fire brigade to a neighbouring building.

(2) No requirement concerning means of access to a building or to a neighbouring building shall be made under this section in the case of a building to be erected or extended in pursuance of a planning permission granted upon an application made under the Act of 1971, unless notice of the provisions of this section is endorsed on or accompanies the planning permission.

(3) Section 16(7) and (8) and section 36(2) to (6) of the Building Act 1984 (notice of rejection or passing of plans and enforcement of requirements) shall apply as if this section were a section of the said Act of 1984.

(4) Any person aggrieved by the action of the district council in rejecting plans under this section may appeal to a magistrates' court.

(5) In this section references to the adequacy or inadequacy of means of access for the fire brigade shall be construed as references to a means of access adequate or, as the case may be, inadequate for use for fire-fighting purposes by members of one or more fire brigades and their appliances.

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

NOTIFICATION OF CONSENT FOR PLANNING PERMISSION

Kennedys Garden Centres Ltd
C/O Powell Design Partnership
33/34 Oxford Street
Southampton
Hants
SO14 3DS

Application No : 97/65329/F

Parish : WARGRAVE PARISH

Proposal : PROPOSED ERECTION OF TWO GLASS HOUSES EXTENSION TO EXISTING CAR PARK PLUS ALTERATIONS TO ACCESS

Location : Kennedys Garden Centre Bath Road Wargrave

The Wokingham District Council in pursuance of their powers under the above Acts and Regulations hereby **GRANT PLANNING PERMISSION** for carrying out the above development in accordance with the application and the accompanying plans submitted to the Council subject to compliance with the following conditions, the reasons for which are specified hereunder.

CONDITION(S) :

01
The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

02
Prior to the commencement of building operations, samples of the external materials shall be made available for inspection on site and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

03
Construction work of any sort shall only take place within the area covered by the application between the hours of 7.00am & 7.00pm Mondays to Fridays and 7.00am to 1.30pm Saturdays and no construction work shall take place on Sundays and Bank Holidays.

04
Provision shall be made to accommodate all site operatives' visitors' and construction vehicles loading, off-loading, parking and turning within the site during the construction period in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

05
No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include means of enclosure; hard surfacing materials; and associated structures.

06
Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation and maintenance programme.

07
All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.
08
Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on the adjacent public highways in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.
09
Development shall not commence until the proposed access has been constructed, and the Tag Lane access points closed, in accordance with detailed engineering drawings to be submitted to and approved in writing by the Local Planning Authority.
10
Details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development with regard to on site lorry parking and unloading areas. Those approved details shall be fully implemented and completed prior to the first occupation of the extensions hereby approved, and shall be retained for parking and unloading at all times thereafter.
11
The redundant buildings to be demolished under this proposal shall be removed from the site before any new construction is undertaken.

REASON(S) :
01
In pursuance of Section 91(1) of the Town and Country Planning Act 1990.
02
In the interests of visual amenity.
03
In the interests of residential amenity.
04
In the interests of highway safety and convenience.
05
In the interests of the character and amenities of the locality.
06
In the interests of the character and amenities of the locality.
07
In the interests of the character and amenities of the locality.
08
In the interests of highway safety and convenience.
09
In the interests of highway safety.
10
To ensure that the development is at all times provided with adequate commercial vehicle parking space to prevent the need for roadside parking, loading and unloading in the interests of highway safety.
11
In the interests of visual amenity.

DEHumphrey

Date02 July 1999

Development Control Manager

If this notice grants permission to proceed with the proposal the applicant is reminded that it relates to planning permission only and does not constitute approval under any other legislation including Building Regulations. The applicant should contact the Building Control Section of the District Council's Environmental Services for further information.

Note Would you please ensure that the Red Public Notice relating to this planning application which the Council sent to you to put on display is now removed, if this has not already been done. This will avoid any confusion by local residents as to whether further applications have been made, and will assist in keeping the country side and townscapes tidy.

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

NOTIFICATION OF CONSENT FOR PLANNING PERMISSION

Kennedy's Garden Centres Ltd
Kings Acre Road
Hereford
HR4 0SE

Application No : 99/70375/F

Parish : WARGRAVE

Proposal : PROPOSED ERECTION OF REPLACEMENT BUILDINGS AT CENTRE (AMENDMENT TO APPROVAL 97/65329/F)

Location : KENNEDY'S GARDEN CENTRE, BATH ROAD, WARGRAVE

The Wokingham District Council in pursuance of their powers under the above Acts and Regulations hereby **GRANT PLANNING PERMISSION** for carrying out the above development in accordance with the application and the accompanying plans submitted to the Council subject to compliance with the following conditions, the reasons for which are specified hereunder.

CONDITION(S) :

01
The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

02
Before the building operations hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

03
Construction work of any sort shall only take place within the area covered by the application between the hours of 7.00am and 7.00pm Mondays to Fridays and 7.00am to 1.30pm Saturdays and no construction work shall take place on Sundays or Bank Holidays.

04
Provision shall be made to accommodate all site operatives' visitors' and construction vehicles loading, off-loading, parking and turning within the site during the construction period in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

05
No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include means of enclosure, hard surfacing materials and associated structures.

06
Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation and maintenance programme.

07
All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.
08
Precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on the adjacent public highways in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.
09
Development shall not commence until the proposed access has been constructed and the Tag Lane access/egress points closed, in accordance with detailed engineering drawings to be submitted to and approved by the Local Planning Authority.
10
Details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development with regard to on site lorry parking and loading areas. Those approved details shall be fully implemented and completed prior to the first occupation of the redevelopment hereby approved and shall be retained for parking and unloading at all times thereafter.
11
The redundant buildings to be demolished under this proposal shall be removed from the site before any new construction is undertaken.

REASON(S) :
01
In pursuance of Section 91(1) of the Town and Country Planning Act 1990.
02
In the interests of visual amenity.
03
In the interests of residential amenity.
04
In the interests of highway safety and convenience.
05
In the interests of the character and amenities of the locality.
06
In the interests of the character and amenities of the locality.
07
In the interests of the character and amenities of the locality.
08
In the interests of highway safety and convenience.
09
In the interests of visual amenity.
10
To ensure that the development is at all times provided with adequate commercial vehicle parking space to prevent the need for roadside parking, loading and unloading in the interests of highway safety.
11
In the interests of visual amenity.

Head of Planning and Transportation

Date 01 February 2000

If this notice grants permission to proceed with the proposal the applicant is reminded that it relates to planning permission only and does not constitute approval under any other legislation including Building Regulations. The applicant should contact the Building Control Section of the District Council's Environmental Services for further information.

Note Would you please ensure that the Red Public Notice relating to this planning application which the Council sent to you to put on display is now removed, if this has not already been done. This will avoid any confusion by local residents as to whether further applications have been made, and will assist in keeping the country side and townscapes tidy.



BERKSHIRE STRUCTURE PLAN 1991-2006





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5.15 The release of land from the Green Belt in Slough may be needed to meet the housing provision for the Borough in Policy H2 if sufficient land cannot be found within the built-up area without problems related to town cramming. Because of its location, entirely surrounded by Green Belt, it is becoming increasingly difficult to identify sufficient land to meet local housing needs without the release of land from the Green Belt. If over-reliance is put on development beyond the Green Belt for meeting Slough's needs, it would add to the length of journeys to work and create particular problems for those requiring low-cost housing.

5.16 Should information become available as part of the Slough Local Plan Review process which clearly demonstrates that the urban area does not have sufficient capacity to meet the Borough's Structure Plan housing provision, then either a Structure Plan alteration may be required to consider the principle of releasing land from the Green Belt or limited Green Belt releases made through the Slough Local Plan, depending upon the scale and nature of land releases involved.

Development in the Green Belt

5.17 The purpose of the Metropolitan Green Belt in Berkshire is to help to limit the spread of Greater London; to prevent neighbouring towns from merging; and to safeguard the countryside from further encroachment by buildings and other features associated with intensive activity. Restraints on development in the Green Belt may also encourage the recycling of derelict and other urban land excluded from the Green Belt. Planning Policy Guidance Note 2 (PPG2) states that "general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them".

Control of Development in the Green Belt

Policy C4 **There will be a presumption against inappropriate development in the Metropolitan Green Belt. Development must be acceptable in scale, form, impact, character and siting to its location in the Green Belt and should not compromise the purposes of the Green Belt and the fundamental aim of keeping land permanently open.**

Approval will not be given, save in very special circumstances, for new buildings for any purpose, other than :

(i) agriculture and forestry;

(ii) essential facilities for outdoor sport and recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it;

(iii) limited extension, alteration and replacement of existing dwellings;

(iv) limited infill in Recognised Settlements defined in local plans;

(v) small-scale low-cost housing on other sites in Recognised Settlements to meet proven local needs in accordance with Policy H8;

(vi) limited infilling in, or redevelopment of, major existing developed sites identified in adopted local plans.

5.18 In implementing the provisions of Policy C4, it should be noted that development includes the change of use of land and existing buildings and the carrying out of engineering or other operations. The carrying out of such operations and the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purpose of including land in the Green Belt.

5.19 Within the Green Belt, the erection of new dwellings is normally restricted to infilling in Recognised Settlements (those villages and other locations within the Green Belt where, because of the local concentration of development, it is considered that the overall character of the Green Belt would not be harmed by permitting such development). The boundaries of these settlements are currently defined in the Green Belt Local Plan, which also indicates that "infilling" in the Green Belt should normally be limited to single plots. As local plans are prepared for areas in the Green Belt, their policies will supersede those in the Green Belt Local Plan. Until that time, policies in the Green Belt Local Plan will apply.

5.20 Planning Policy Guidance Note 2 'Green Belts' does not refer to park and ride sites as being appropriate development in the Green Belt. However, if such schemes are to be provided in the eastern part of the County in accordance with the integrated transport strategy, it is most likely that sites will have to be found in the Green Belt. Proposals for sites in the Green Belt would have to be treated as exceptional cases and as departures from the development plan which would have to be referred to the Secretary of State.

5.21 By maintaining the separation of settlements, the Green Belt plays an important role in protecting the rural character of much of the eastern part of Berkshire. However, in some areas, pressures for change and fragmentation of ownership are leading to degradation of the landscape. To help combat such changes (and thereby improve the effectiveness of Green Belt policy), the County Council will work in partnership with other agencies to develop appropriate landscape conservation and enhancement measures.

Settlements, Buildings and the Countryside

5.22 Areas on and near the edge of settlements, where built-up areas meet the countryside, are especially vulnerable to insensitive development within settlement boundaries which:

(i) increases the visual intrusion by buildings in the surrounding countryside;

(ii) causes the loss of tree and hedgerow cover which helps to soften and screen a settlement edge;

(iii) extends beyond a feature (like a ridge or tree belt) which forms a visual barrier to the edge of a settlement;

(iv) adds to, or fills gaps in, an area of dispersed settlement or sporadic development;

(v) prejudices the continued satisfactory conduct and management of a land-use wholly appropriate to a rural area, either on land adjoining a settlement or in an area of sporadic or dispersed development.

GREEN BELT LOCAL PLAN FOR BERKSHIRE

Royal County of Berkshire

April 1985

ISBN 0 903321 94 7

6 Introduction To The Development Control Policies

6.1 Basic Policies

6.1.1 Section 2.2 of this Local Plan explained the background to the operation of Green Belt policy in Berkshire: the policy is intended to be highly restrictive, to safeguard the open or rural character of the area surrounding the Greater London conurbation. **There is therefore a clear and strong presumption against any new development unless special reasons can be demonstrated why planning permission should be granted.** The general principle governing all development control operations in the Green Belt will therefore be that the planning authorities will operate strict policies to resist all development other than:

a development which will in no way harm the open, rural or countryside character of the area; or

b other development which is essential to the functioning of this area as a tract of ordinary countryside; or

c development of a type which must, of necessity, take place or be located in the area designated as Green Belt and of a type for which there is an undisputed public need.

6.1.2 The remainder of this Local Plan explains the practical implications of this principle as it will be applied to different types of development. A first refinement of it is the 'Acceptable Uses' policy of the approved Structure Plans, which translates it into a general statement of the types of development which will, and which will not, be acceptable in principle in the Green Belt. This Structure Plan policy acts as the starting point for all the discussion of the details of development control policy in the Green Belt, and so it is repeated here as a formal policy of this Local Plan, with a rider explaining its relationship to the remaining policies of this Plan:

Policy 1 WITHIN THE AREA OF THE METROPOLITAN GREEN BELT IN BERKSHIRE, APPROVAL WILL NOT BE GIVEN, SAVE IN VERY SPECIAL CIRCUMSTANCES, FOR NEW BUILDING OR FOR THE CHANGE OF USE OF LAND OR OF EXISTING BUILDINGS FOR ANY PURPOSE OTHER THAN THE FOLLOWING:

A RESIDENTIAL DEVELOPMENT IN THE FORM OF INFILLING WITHIN SETTLEMENTS;

B DEVELOPMENT ESSENTIAL TO THE USE OF LAND FOR AGRICULTURE OR FORESTRY;

C MINERAL EXTRACTION;

D APPROPRIATE KINDS OF RECREATION;

E PUBLIC UTILITIES WHICH CANNOT BE LOCATED ELSEWHERE;

F ANY OTHER PURPOSE WHOLLY APPROPRIATE TO A RURAL AREA.

STRINGENT ENVIRONMENTAL CRITERIA WILL BE APPLIED IN JUDGING WHETHER THE APPEARANCE AND SITING OF SUCH PROPOSALS ARE ACCEPTABLE.

DETAILED INTERPRETATION OF THIS POLICY WILL BE BY MEANS OF POLICIES 2 TO 23 OF THIS LOCAL PLAN.

6.2 Appropriate and Acceptable Uses

6.2.1 This list set out in Policy 1 is referred to as the list of 'acceptable uses', but within it a broad distinction may be made between those uses which are both acceptable in and appropriate to the Green Belt - uses which will not in principle detract from the open, rural or countryside character of the Green Belt; and uses which are no more than acceptable - uses which are allowed only as exceptions to the broad principle of keeping the land open or rural in character, because they must of necessity be located in the area designated as Green Belt and for which there is an undisputed public need. Thus in Policy 1, developments in categories A, B, D and F are 'acceptable and appropriate' Green Belt uses, whilst those in categories C and E are merely 'acceptable'. This distinction between uses which are 'acceptable and appropriate' and those which are merely 'acceptable' is reflected in the more detailed policies of this Local Plan, policies generally being worded positively or negatively in accordance with whether the particular type of development under consideration is broadly 'appropriate' or only 'acceptable'.

6.3 Other Considerations

6.3.1 Green Belt principles are not the only issues relevant to the determination of planning applications on sites in the Green Belt. The penultimate sentence of Policy 1 above, quoting the approved Structure Plans, already indicates that the appearance and siting of proposed development in the Green Belt will be judged very stringently, the aim being to maintain or enhance the character of the Green Belt area.The approved Structure Plans, and other documents of more local detailed application, also contain many other policies which restrict or encourage development for one reason or another: for example, they may restrict development because the site concerned is of archaeological importance, or important to the setting of a listed building; or they may encourage it because, for example, such development would enhance the appearance of an area of important townscape[1]. Accordingly **the planning authorities concerned in the determination of any individual planning application in the Green Belt must have regard not only to the policies of this Local Plan, but additionally to all other relevant planning considerations.** Every planning application will stand or fall on all its merits, and it will thus be for the planning authority concerned (normally the District Council[2]) to evaluate each proposal in the light of all the considerations - Green Belt issues and others - which appear to them to be relevant. This said, it must however be noted that as explained in paragraph 2.2.3 the successful implementation of Green Belt policy depends on consistently applying the severest restrictions on development.

6.3.2 The broad principle which the planning authorities will normally follow, therefore, will be that if Green Belt policies indicate that a particular planning application should be refused, those policies will prevail; if on the other hand Green Belt policies suggest that an application is permissible, it will nevertheless be subject to scrutiny against all other planning considerations, and only if it is also satisfactory in terms of these other considerations will planning permission be granted.

6.4 The Presentation of Chapters 7 - 16

6.4.1 The contents of the succeeding chapters of Part 3 of this Local Plan are structured in accordance with the list of acceptable uses set out in Policy 1. More detailed policies are set down for each type of acceptable use, and indications are given of the 'very special circumstances' which must be demonstrated before additional types of development not covered by the 'Acceptable Uses' policy may be permitted. Each policy is given a reasoned justification in Green Belt terms, and following this reasoned

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1 See Structure Plan policies En 15 (EBSP)/En 16 (CBSP) on archaeology, En 14/15 on listed buildings, and En 13/14 on townscape. It is emphasised that these are only examples of the many Structure Plan policies which are taken into account in the determination of individual planning applications.

2 The County Council is the planning authority responsible for determining applications for mineral extraction and some associated uses, and applications for waste disposal.

justification some notes are given on the way in which the policy will normally be implemented. These implemen-tation notes explain the policy as it has been generally interpreted in the past by the planning authorities, and as it will be generally interpreted in the future, and are for the general guidance of the planning authorities and of planning applicants. They do not, however, form part of the formal policies of this Local Plan (which are printed in upper case), and the precise emphasis to be laid on the interpretations given in them will be a matter to be decided by the planning authority or authorities concerned in each individual case.

6.4.2 Nothing in the policies set out in the succeeding chapters affects the validity of any existing planning permissions for development which might appear to conflict with those policies. The existence of the policies will however be a material consideration to be taken into account by the planning authorities if any such permission should come forward for renewal.



Wokingham District Local Plan
Deposit Draft

With Proposed Amendments Highlighted

February 2000

- **Proposed Amendments April 1999**
- **Additional Proposed Amendments September 1999**
- **Proposed Transport Amendments February 2000**

POLICY FRAMEWORK

National Policy

3.11 The Government's policy for the Green Belt is contained within PPG 2, which explains the fundamental aims and purposes of including land within the Metropolitan Green Belt.

Strategic Policy

3.12 The *Berkshire Structure Plan 1991 - 2006* states that the purpose of the Metropolitan Green Belt in Berkshire is to help limit the spread of Greater London; to prevent neighbouring towns from merging; and to safeguard the countryside from further encroachment by buildings and other features associated with intense activity. It states also that restraints on development in the Green Belt may encourage the recycling of derelict and other urban land excluded from the Green Belt.

3.13 The Structure Plan envisages that the Green Belt boundaries, as originally set out in the Green Belt Local Plan for Berkshire, will be retained except to correct very minor local inconsistencies. Further guidance on this is set out paragraph 5.12 of the Berkshire Structure Plan.

Supplementary Planning Guidance

3.14 Future supplementary guidance will be produced by this Council in respect of a District wide *Landscape Assessment*, which in turn will be used to produce a *Countryside Design Summary*. Also, there will be the production of *Village Design Statements* in conjunction with the parishes within this District. They will all be based on Countryside Commission methodology and advice set out in Planning Policy Guidance Note 7 (PPG 7) *The Countryside - Environmental Quality and Economic and Social Development*.

3.15 A background paper on recognised Major Existing Developed Sites in the Metropolitan Green Belt will be published concurrently with this Plan. It will provide an explanation of the selection criteria that form the basis of Policy WGB7. As supplementary planning guidance it defines the extent of the area within which the Council could accept possible future development (the defined development envelope). Further supplementary planning guidance in the form of a development brief could be necessary on these sites.

THE CONTROL OF DEVELOPMENT IN THE METROPOLITAN GREEN BELT

3.16 In the Metropolitan Green Belt there is a presumption against inappropriate development, which by definition, is harmful to the Green Belt, though there are some categories of development which may be appropriate and these are set out in Policy WGB1 below:

POLICY WGB1: DEVELOPMENT IN THE METROPOLITAN GREEN BELT

THERE WILL BE A PRESUMPTION AGAINST INAPPROPRIATE DEVELOPMENT IN THE METROPOLITAN GREEN BELT, ~~DEVELOPMENT MUST BE ACCEPTABLE TO ITS LOCATION WITHIN THE GREEN BELT~~, **(PA 3/1)** AS DEFINED ON THE PROPOSALS MAP. ~~APPROVAL WILL NOT BE GIVEN,~~ *DEVELOPMENT WILL NOT BE PERMITTED,* **(PA 3/1)** SAVE IN VERY SPECIAL CIRCUMSTANCES, ~~FOR THE CONSTRUCTION OF NEW BUILDINGS OR THE CHANGE OF USE OF LAND~~: FOR ANY PURPOSE OTHER THAN: **(PA 3/1)**

Cont.

~~A) DEVELOPMENT THAT DOES NOT CONFLICT WITH THE FUNDAMENTAL AIM OF KEEPING LAND PERMANENTLY OPEN AND ANY OTHER PURPOSE FOR WHICH GREEN BELTS ARE DEFINED~~ **(PA 3/1)**

~~B)~~ *A)* DEVELOPMENT FOR AGRICULTURE OR FORESTRY **(PA 3/1)**

~~C)~~ *B)* DIVERSIFICATION OF AN ESTABLISHED AGRICULTURAL BUSINESS WHERE IT DOES NOT CONFLICT WITH POLICIES IN THE GREEN BELT **(PA 3/1)**

~~D)~~ *C)* ESSENTIAL FACILITIES FOR OUTDOOR SPORT AND RECREATION, ~~AND~~ FOR CEMETERIES, *AND FOR OTHER USES OF LAND THAT PRESERVE THE OPENNESS OF THE GREEN BELT, AND WHICH DO NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND IN IT* **(PA 3/1)**

~~E)~~ *D)* LIMITED EXTENSION, ALTERATION AND REPLACEMENT OF EXISTING DWELLINGS **(PA 3/1)**

~~F)~~ *E)* LIMITED INFILLING OR REDEVELOPMENT OF *MAJOR* EXISTING DEVELOPED SITES IN ACCORDANCE WITH ~~POLICIES WGB5 OR~~ *POLICY* WGB7 **(PA 3/1)**

~~G)~~ *F)* THE RE-USE AND ADAPTATION OF EXISTING BUILDINGS IN ACCORDANCE WITH POLICY WGB4. **(PA 3/1)**

G) ESSENTIAL FACILITIES FOR PUBLIC UTILITIES WHICH IT HAS BEEN CONCLUSIVELY DEMONSTRATED CANNOT BE LOCATED ELSEWHERE **(PA 3/1)**

IN ALL CASES, DEVELOPMENT WILL NEED TO ~~RESPECT ITS CONTEXT~~ *RETAIN THE OPEN CHARACTER OF THE GREEN BELT,* **(PA 3/1)** AND NOT CAUSE DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS. DEVELOPMENT MUST BE APPROPRIATE IN TERMS OF:

SCALE, FORM, SITING, DESIGN, MATERIALS, CHARACTER, TYPE AND LEVEL OF USE, AND OTHER VISUAL, PHYSICAL AND ECOLOGICAL ASPECTS.

Implementation: Through development control process.

Monitoring: Impact of planning applications determined.

Application No.	Received	Wargrave
F/2000/1164	4/4/00	

Location : **Kennedys Garden Centre, Bath Road, Wargrave**
Proposal : **Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)**

1. **Planning History** - The site is a long established garden centre including farm shop, pet food shop and swimming pool sales area. Substantial extensions were refused in 1990 (Ref. 34830) due to conflict with Green Belt policy and highway concerns. A later application in 1992 (39452) gained a resolution for approval subject to a legal agreement to achieve highway improvements. This agreement was never signed. In July 1997 the Environmental Services Committee resolved that application 39452 be withdrawn, or if the legal agreement was not completed within 8 weeks of that committee the application be refused. The application was subsequently withdrawn. A further application was received in March 1997 for the proposed erection of two glass houses, extension to existing car park and alterations to access (Ref. 97/65329/F). This was deemed acceptable because the consolidation of scattered small buildings, improved visual amenity and there were highway benefits in terms of the new access and the closure of the Tag Lane access/egress points. This application was approved, subject to a legal agreement by the Development Control Sub Committee on 6 August 1997 and the permission issued on 2 July 1999. A subsequent application was submitted (99/70375/F) which sought to provide a consolidating extension by removing the parabolic roofed building and 'squaring off' the green house structure. This application was considered at Development Control Sub-Committee on 24th November 1999 and a permission was issued on 2 February 2000 subsequent to the signing of a S106 agreement. The works in the agreement related to the closure of the Tag Lane entrance and the construction of a new access off the Bath Road. These works have been completed. A revised S 106 is deemed necessary in order to ensure the closure of Tag Lane continues to be enforced.

2. **Proposal** – seeks partial retrospective approval for a garden centre. This application is identical to the scheme approved under 99/70375/F with the exception of height. As approved, the ridge height of the glasshouse was 4.7m. As currently under construction, the 3 central ridges would be 6.4m and the 2 outer ridges 5.8m. The revised access arrangements approved under 99/70375/F have been implemented in full.

3. **Consultations** -
   - ***Hare Hatch and Kiln Green Residents Association*** – (1) The buildings are 2m higher than approved which has an adverse impact on the surrounding Green Belt. The development now looks more like a warehouse than a light weight glasshouse. The higher structure shows a disregard for the planning process. (2) the overflow carpark is gravel and not grass as approved. (3) the development commenced before the access road was built. (4) details of landscaping have not been agreed.

- ***Highways*** – No objections on the basis there is no increase in floor area or changes to the access/servicing.
- ***Trees and landscape*** – Site is located within the Green Belt and adjacent to a Green Route enhancement zone. The proposed replacement is larger and extends towards the narrower part of the site. The visual impact of the building and the increased car parking will be higher and therefore a comprehensive landscaping scheme should be submitted.
- ***Wargrave Parish Council*** – Object to the height and mass of the structure in the Green Belt. The Parish Council would like to question the type of materials used. Would request that the original consent is enforced. Query whether the car parking has been constructed as per the approved plans.
- ***Consultation letters*** – 3 letters prior to submission of applications, 3 letters of objection as a result of the consultation process (1) higher structure is more obtrusive and detrimental to the Green Belt (2) concerned at retrospective nature of the application (3) opaque glass provides a more industrial appearance (4) opportunity to create a roundabout has been lost.

4. **Appraisal** – The main issues are:

   A. Impact upon the Metropolitan Green Belt (Berkshire Structure Plan Policy C4, Green Belt Local Plan for Berkshire Policy 1 and 21, Wokingham District Local Plan (Deposit Draft) as modified Policies WOS2, WGB1).

   B. Impact upon the streetscene (Berkshire Structure Plan Policy EN1; Wokingham District Local Plan (Deposit Draft) as modified Policies WOS3, WBE1).

   C. Concerns of residents, Wargrave Parish Council and Hare Hatch and Kiln Green Residents Association.

A. Impact on the Green Belt

The principle of redevelopment of the garden centres has been established by previous permissions, most notably 99/70375/F. The current proposal seeks permission for an increase in the height of the garden centre, which is partially under construction.

As approved (gables) – 4.7m
As proposed (central gables) – 6.4m (1.7m difference).
As proposed (end gables) – 5.8m (1.1m difference).

The pertinent issue therefore is the visual impact of the revised garden centre on the open/rural character of the Green Belt. All the previous proposals for redevelopment resulted in a structure lesser in height than existing. On this basis, such schemes were deemed to be a material improvement over the existing situation. The current proposal would result in a structure greater in height and therefore a careful assessment has to be made of the additional impact of the height on the adjoining Green Belt.

The garden centre is located some 30m from the road frontage, Bath Road. The front of the garden centre lies a substantial depth of soft landscaping

which is to be supplemented by additional planting. The applicants have provided a full landscape scheme as part of the current application and have indicated that substantial planting will be provided. Whilst the garden centre structure will undoubtedly be higher than approved, the building itself comprises 5 gable fronted elements. The increase in height is therefore less than if the structure had had one ridge line running east/west. The design is also such that the two end gables have a lower ridge line which aims to reduce the visual impact of the peripheries of the garden centre.

The structure will undoubtedly have a greater visual prominence in relation to the surrounding Green Belt. However, an assessment has to be made on whether or not the impact is sufficient to warrant a refusal on Green Belt grounds. It is considered that the gable ends, substantial landscaping and distance from the Bath Road are such that the proposal would not be detrimental to the open/rural character and nature of the Green Belt.

B. Impact on the streetscene

The garden centre approved under 99/70375/F was a glazed structure which sought to lessen the visual impact of the building. As under construction, certain sections of the centre have been built of opaque materials which have a more industrial appearance. This was deemed to be unacceptable by the Local Planning Authority in terms of the impact which this material produces visually. The applicants have been advised of this and have agreed to replace these materials with glazing to match the remainder of the garden centre. These will be supplemented by blinds or screens where necessary, in order to shield the restaurant, toilet and storage facilities. The applicants are endeavouring to do so prior to consideration of the proposal at this committee. Should this prove impossible, they are amenable to the imposition of a condition to ensure the works are carried out and completed within a specified time period.

On the basis of the materials now agreed, it is considered that the building under construction would have no greater visual impact than previously approved in terms of its transparency. It is not considered that the proposal would have a detrimental impact on the visual amenity of the streetscene.

C. Concerns of residents, Parish Council and Residents Association.

The concerns of nearby residents, the Parish Council and the Residents Association are noted. Issues regarding the height, mass and use of materials for the garden centre have been dealt with in the preceding section of this report. The issue of this impact upon the Green Belt has also been addressed. The car parking as approved has now been laid out in accordance with approved plans. The overflow area adjacent to 'Shingleberry' had originally been laid on gravel, not grass as approved. Subsequent to correspondence from Enforcement staff, this area has been laid to grass, although this may take some time to establish due to when it was planted. Concerns have also been raised that the opportunity for a new roundabout at the junction of the A4 Bath Road/B3032 London Road. This issue was dealt with in previous consents, when the Highways Section considered the redevelopment and consolidation of the garden centre at that

time. It was not considered necessary or appropriate to request monies for the provision of a roundabout in this location. Whilst there has been some increase in vehicular traffic since this time, this is not directly attributable to the garden centre. It is not considered feasible to request contribution towards a roundabout under the guidelines set down in Circular 1/97 on *Planning Obligations*.

The Residents Association have raised various concerns regarding the timing of works on site. It is correct that the S106 agreement required the construction of the new Bath Road access and the closure of Tag Lane prior to development commencing. However, an assessment has to be made by the Local Planning Authority as to whether it would be expedient to take enforcement action against such works when permission has been granted for the development. The view was taken that so long as the access works were complete prior to the opening of the garden centre in its entirely, that it was not expedite to take any action. Similarly, it was deemed inappropriate to take enforcement action regarding soft landscaping. Whilst the condition refers to submission of details prior to commencement of development, planting can only take place in the appropriate season. Details of soft landscaping have now been submitted and are currently being considered by the Local Planning Authority. As part of the current application, the applicants have provided full landscape details in order to ensure the level of planting and species is appropriate. Several letters have made reference to other development in the Green Belt. Staff advise that each case has to be considered on its own merits.

5. **Conclusion** – This is clearly a finely balanced issue requiring members' judgement. The proposal is greater in height than previously approved and existing structure. It is considered that the distance from Bath Road, the level of soft landscaping and the fact that the height is distributed across the five gables are such that the proposal would not appear detrimental to the visual and open/rural character of the Green Belt. The additional height, on balance, is not considered sufficiently detrimental to be able to substantiate a refusal on Green Belt grounds. Additional landscaping and the change in materials will ensure that the proposal will not appear overdominant in the streetscene. Members may consider that notwithstanding these matters, the development will be detrimental to the open appearance of the Green Belt. Nevertheless, taking all these factors into consideration and in the context of the development already on site, it is recommended that planning permission be granted.

6. **Recommendation** – GRANT planning permission, subject to a variation of the existing S.106 legal agreement and the following conditions:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

2. The materials and glazing utilised in the completion of the garden centre shall be as currently used, and shall not vary in any respect without the written permission of the Local Planning Authority.

3. Construction works of any sort shall only take place within the area covered by the application between the hours of 07:00 and 19:00 Monday to Fridays and 07:00 and 13:30 Saturdays and no construction work shall take place on Sundays or Bank holidays.

4. Provision shall be made to accommodate all site operatives' visitors' and construction vehicles loading, off-loading, parking and turning within the site during the construction period in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

5. Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on the adjacent public highways in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

6. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (eg. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant].

7. Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation and maintenance programme].

8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

9. Details of the site lorry parking and loading areas approved by the Local Planning Authority under 99/70375/F shall be fully implemented and completed prior to the first occupation of the redevelopment shall be retained for parking and unloading at all times thereafter.

10. The redundant buildings to be demolished under this appeal proposal shall be removed from site before any new construction is undertaken.

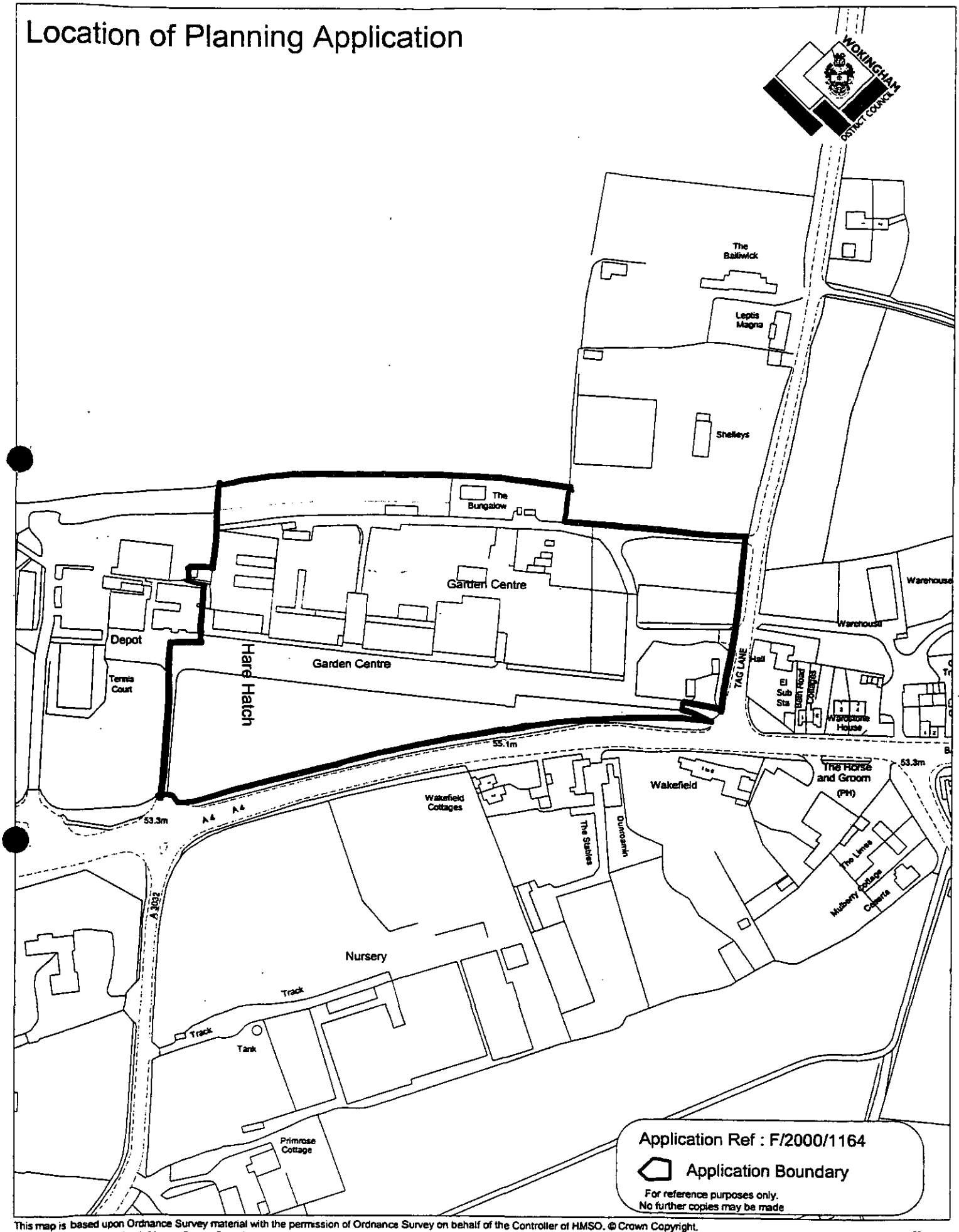
Reasons

1. In pursuance of Section 91(1) of the Town and Country Planning Act 1990.

2.10. In the interests of visual amenity.
3. In the interests of residential amenity.
4.8. In the interests of highway safety and convenience.
5.6.7. In the interests of the character and amenities of the locality.
9. To ensure that the development is at all times provided with adequate commercial vehicle parking space to prevent the need for roadside parking, loading and unloading in the interests of highway safety.

Heather Morgan

Location of Planning Application



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Development Control Section, Environmental Services, Wokingham District Council.
28 June 2000

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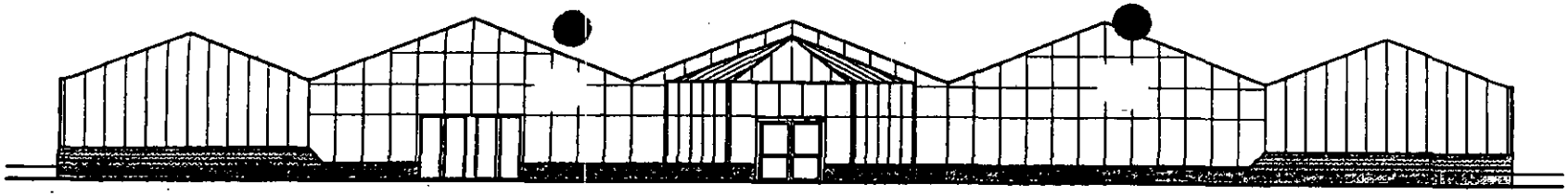
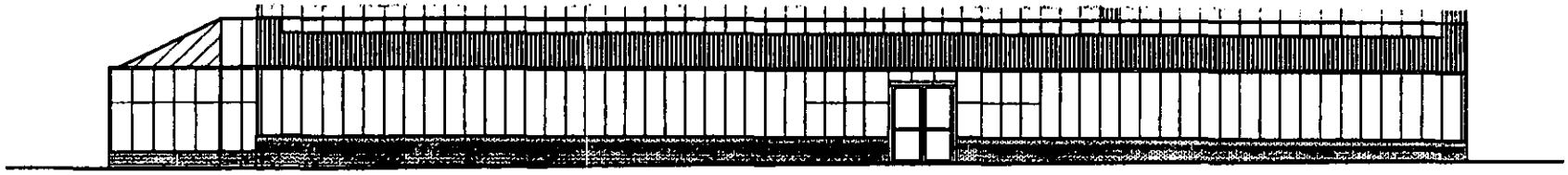
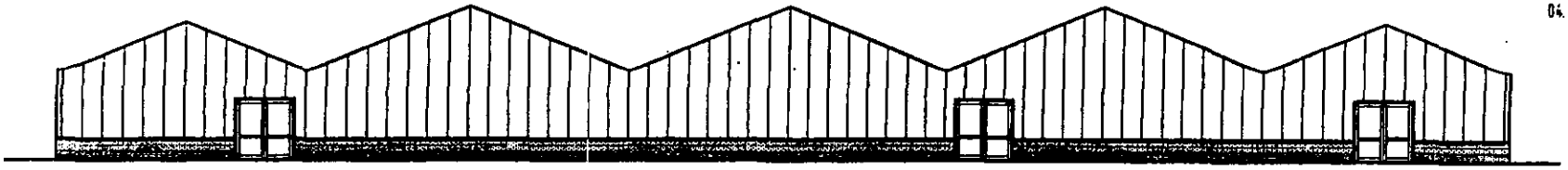


Proposed Front (South) Elevation



Proposed Side (East) Elevation



Proposed Rear (North) Elevation



Proposed Side (West) Elevation

Revisions

No.	Date.	
A	MAR'00	EAST ELEVATION ADDED
B	MAR'00	ALL ELEVATIONS SHOWN

THIS DRAWING MUST NOT BE SCAL
Before commencing any work the
must set out, check all dimensions
and report any discrepancies.

Project
EXTENSION TO GARDEN CEN

04 APR 2000 1164

Client
WYEVALE GARDEN CENTRES

Site
WYEVALE GARDEN CENTRE
HARE HATCH
READING

Details
REVISED PROPOSED ELEVATI

HOLLINS
Architects and Surveyors
Planning Consultants

44 Market Hill
Framlingham · Woodbridge · Suffolk IP1
Tel 01728 723955 · Fax 01728 723
E-mail all@hollins.co.uk

Scale 1/100

Date MARCH 2000

Drawn PJT

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99148/108

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PROOF 0F EVIDENCE OF

MICHAEL EVANS
BA, MA, MPHIL and DIPTP

APPEAL BY KENNEDY GARDEN CENTRES LTD AGAINST THE REFUSAL OF PLANNING PERMISSION FOR THE REDEVELOPMENT OF EXISTING GARDEN CENTRE AT KENNEDYS GARDEN CENTRE, BATH ROAD, WARGRAVE

LOCAL PLANNING AUTHORITY REFERENCE : F/2000/1164

DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS REFERENCE : APP/X0360/A/00/1053278

Wokingham District Council
Environmental Services Department
Civic Offices
Shute End
Wokingham
Berkshire
RG40 1WR

EXPERIENCE

I am a qualified town planner currently employed as the Enforcement Team Leader by Wokingham District Council. I have previous experience as a development control team leader with Wokingham for a period of 8 years. I have also been employed as a planning officer by West Oxfordshire District Council and Birmingham City Council. I have visited the appeal site and am familiar with the history of the appeal site and relevant policies and other material considerations.

1.00 DESCRIPTION OF SITE AND SURROUNDINGS

1.01 The appeal site has been included within the administrative area of Wokingham District Council since 1974. It is located to the north-east of the settlement of Twyford. The site takes direct access from the A4 and lies to the north of this road. There are a scattering of nearby commercial uses on both sides of the road. The wider setting is one of open countryside.

1.02 The appeal site contains existing garden centre buildings together with covered areas and parking and circulation areas. Apart from the main garden centre building there are a farm shop, pet food shop and swimming pool sales area.

An ordnance survey location plan is contained in Appendix One.

2.00 PLANNING HISTORY

2.01 Relevant applications shown in the available records are listed:

34830	Proposed extensions	Refused	February 1990
39452	Redevelopment	Conditional Approval/Legal Agreement (withdrawn)	July 1992
97/65329/F	Erection of glass houses and extension to car park	Conditional Approval	July 1999
99/70375/F	Extension and alteration to garden centre	Conditional Approval	February 2000

2.02 Most notable is application 99/70375/F which the appellant was in the process of implementing when it came to the Council's attention that the building works were for a building significantly higher than that permitted under that permission. The matter was raised with the appellant and this resulted in the application the subject of this appeal. The Council's position is that it wishes the development to proceed in accordance with Application 99/70375/F. That scheme was permitted subject to a legal agreement requiring highway improvements to close off an existing access in Tag Lane and create a new access to the Garden Centre. These highway works have been implemented. The legal agreement also prevents the implementation of the consent granted under application 97/65329/F. Copies of the above decision notices are contained in Appendix Two.

3.00 PLANNING POLICIES

3.01 The Berkshire Structure Plan (BSP) was originally adopted in 1995 and alterations were adopted in 1997. The BSP is therefore part of the statutory development plan for the area. The relevant policy is:

C4 Control of Development in the Green Belt

3.02 The Green Belt Local Plan for Berkshire (GBLP) was adopted in 1985 and therefore also forms part of the statutory development plan. There are other adopted local plans in Wokingham District but these do not cover that part of the district which lies within the green belt. Such land including the appeal site is subject to the GBLP. The relevant policy is:

Policy 1

3.03 The Draft Deposit Wokingham District Local Plan (DDWDLP) is an emerging local plan. Berkshire County Council issued a statement of general conformity with the structure plan in May 1997 and the Deposit Draft of the Wokingham District Local Plan was placed on deposit between 21 October and 2 December 1997. The document has been used for development control purposes since April 1997. Amendments were proposed and consultation on these took place between 23 April and 11 June 1999. The first phase of the Public Local Inquiry into the emerging plan took place between October 1998 and October 1999 and the second phase commenced in February 2000 and closed on 13 November. The relevant policy is:

WGB1 Development in the Metropolitan Green Belt

Copies of the above policies are contained in Appendix Four.

4.00 APPEAL PROPOSAL

4.01 Seeks partial retrospective approval for a garden centre. The proposal is identical to the scheme approved under Application 99/70375/F with the exception of height and footprint.

4.02 At the meeting of the Development Control Sub-Committee on the 28th June members considered the planning application the subject of this appeal. The report to members recommended approval of the application.

4.03 The report stated that issues were finely balanced and it was a matter of judgement whether the proposal caused harm to the green belt and policies designed to protect the green belt. Members' judgement was that the proposal did indeed harm the green belt and that the proposal should be refused.

A copy of the committee report and decision notice are attached in Appendix Four.

5.00 THE COUNCIL'S CASE

5.01 In the view of the Council the main issues in the consideration of this proposal are:

Whether the proposal detracts from the open character of the green belt and is therefore contrary to policies designed to protect the green belt.

Whether any other considerations would outweigh this harm.

5.02 To summarise the Council's position : decisions taken by the Council in 1992, 1997 and 1999 (Applications 39452, 97/67329F and 99/70375F) reflected a desire to secure visual improvements in the form of some consolidation of the scatter of small buildings, and highway benefits. The 1992 proposal involved roof heights of 4.7m(ridge height) and 2.9m(valley height). In the absence of a concluded S.106 agreement relating to highway improvements, that permission was not issued. In 1997, a new scheme was proposed and the roof heights of the new build sections not exceeding 5m.

5.03 Members were concerned about the impact upon the green belt. However, in view of the principle of redevelopment established by the 1992 decision, and because this was a lighter scheme combined with the previous highway

benefits, permission was granted, conditional upon the conclusion of a s.106 agreement. In 2000, a further scheme was approved. This secured removal of the central 7m high section. The roof heights did not exceed 4.6m. The scheme was acknowledged to have a reduced impact on the green belt.

5.04 The above series of decisions represented a progression towards the visual improvement of buildings which are considered inappropriate to the openness of the green belt. The development now under construction, the subject of the appeal, represents a retrograde step in that it exceeds the height of the new build previously approved.

Impact on the green belt

5.05 The proposal involves a significant increase in height and there is also an increase in footprint in relation to the existing consent under Application 99/70375/F. and represents increased floorspace to a total of 2818 square metres instead of 2530m/2 approved under the 1999 consent.

5.06 The existing consent is for a scheme with five ridgelines. These have a height ranging from 4.1 to 4.6 metres. The appeal proposal has the same five ridges which have heights ranging from 5.3 to 6.4 metres. The valleys between the ridges have a height of 2.9 metres on the existing consent and a height of 3.4 to 3.9 metres for the appeal proposal.

5.07 The length of the southern elevation ranges from 55.5 metres for the existing consent to 58.5 metres for the appeal proposal. The width is from 52 metres (existing consent) to 54.2 metres (appeal proposal).

5.08 The scheme put forward in 1997 represented extensions to the existing building with its central parabolic structure (Application 97/65329/F). This section of the existing building has a maximum height of about 7 metres down to 3.2 metres. It predates the adoption of the green belt local plan in 1985 and would not have been allowed in the current policy context. The extensions permitted under 97/65329/F had a maximum height of 5 metres and the proposal involved retention of the central parabolic structure. That scheme, although it retained the obtrusive central section, had the advantage of consolidating existing development on the site and also brought the benefit of highway improvements.

5.09 The importance of the subsequent consent 99/70735/F was that it secured the removal of the central parabolic structure and restricted the overall height of built development to 4.6 metres and below.

5.10 The appeal proposal goes beyond either of the previous consents in that the height of the building is raised to above 5 metres at ridge level along its whole roof length. The result is a building with a significantly greater mass than those previously approved.

National Policy Guidance

5.11 Planning Policy Guidance Note 2 paragraph 1.4 emphasises that the most important attribute of green belts is their openness. It states that there is a general presumption against inappropriate development within green belts and that such development should not be approved except in very special circumstances. Paragraph 3.1 refers the reader to Paragraphs 3.4, 3.8, 3.11 and 3.12 for a definition of development which is inappropriate. Paragraph 3.2 says that inappropriate development is by definition harmful to the green belt. It follows that where a proposal is for development which is

inappropriate the onus is on the applicant to show that very special circumstances exist to justify approval.

5.12 Paragraph 3.4 states that the construction of new buildings inside a green belt is inappropriate unless it is for one of the purposes listed in that paragraph. New buildings not within the categories listed in paragraph 3.4 are inappropriate development

5.13 Paragraphs 3.7 and 3.8 relate to the re-use and adaptation of existing buildings, the extension of which is subject to strict control to prevent conflict with the openness of the green belt.

The Berkshire Structure Plan

5.14 Policy C4 of the BSP reflects national policy and states that development in the green belt must be acceptable in scale, form, impact, character and siting to its location in the green belt and should not compromise the purposes of the green belt and the fundamental aim of keeping land permanently open. New buildings will not be allowed, save in very special circumstance, unless they are for a purpose listed in the policy. The appeal proposal does not fall within any of the categories identified in policy C4. It is not in an identified settlement is not for housing, agriculture, forestry or sport and recreation. Nor is it a site identified for redevelopment in an adopted local plan. Further, the proposal, by virtue of its scale and impact, compromises the fundamental aim of the green belt of keeping land permanently open. The proposal does not therefore meet the requirements of policy C4.

5.15 Although the appeal proposal is not a new building, Paragraph 5.18 of the BSP written statement indicates that Policy C4 applies to all operational redevelopment

development. This is to be regarded as inappropriate unless it maintains openness.

The Green Belt Local Plan for Berkshire

5.16 Paragraph 9.5.5 of the GBLP states that proposals to establish garden centres in the green belt will be resisted. Since the appeal site is a long established garden centre and this proposal falls to be considered in the light of the policies relating to development in the green belt generally. Chapter 6 of the Green Belt Local Plan for Berkshire states at Paragraph 6.1.1 that all development in the green belt will be resisted, except for development which will not harm the open, rural or countryside character of the area and development which is essential to the functioning of the area as a tract of open countryside, or development which must of necessity be located in the green belt and for which there is an undisputed public need. Policy 1 carries a presumption against all new building in the green belt.

The Emerging Local Plan

5.17 The draft WDLP has reached an advanced stage of preparation, objections having been considered at a public inquiry in October 1998 to October 1999 and February to November 2000. Policy WGB1 of the draft WDLP identifies what constitutes appropriate development in the green belt. The appeal proposal does not fall into any of the categories. These are similar to those in Policy C4 of BSP the 'special circumstances' test applies to all development not listed. Limited extension, alteration and replacement of existing dwellings are examples of development included in the list. Extensions or alterations to buildings other than dwellings are not included except where a change of use and adaptation is proposed in accordance with draft Policy WGB4. The appeal proposal does not fall into any of the categories. Draft Policy WGB1 also requires all development to retain the

open character of the green belt and must be appropriate in terms of scale, form, siting and design. The appeal proposal does not meet the requirements of Policy WGB1 of the DDWDLP.

5.18 The above three policies all require a consideration of the scale and impact of the specific proposal, and its effect on the openness of the green belt. The appeal proposal involves a significant increase in height over that already approved on what will already be a very large building in the green belt, even after the demolition of the parabolic section. The greatest height is also at the front of the building and makes it prominent in views from the A4. As well as the proposal being inappropriate development there is also, therefore, site specific harm.

Other Material Considerations

5.19 The appellant puts forward a number of factors in support of the proposal:

- Whilst there is scope for landscaping, the scale and massing of the building is so great that this would have little immediate effect and in any case is not something which makes inappropriate development acceptable in the green belt.

- Even if the buildings are popular and even if considered attractive this cannot outweigh green belt policy. Such considerations carry little if any weight.

- The cost of altering the building if the appeal is dismissed can carry little weight. The argument is tantamount to saying that any unauthorised building works should be allowed to remain because there is a cost in remedying such works.

- The distance from the A4 is not such that the proposal is not visible or readily appreciated. There are clear views of the building. In any case green belt policy does not rely on visual impact in assessing the acceptability of development proposals.

6.00 *CONCLUSIONS*

6.01 For the above reasons the proposal clearly conflicts with Policy WGB1. It should be noted that redevelopment of the appeal site does not fall into any of the categories listed. The policy does state that in all cases development will need to retain the open character of the green belt.

6.02 Any benefit in terms of improved features to visitors and removal of existing buildings is not considered to be a significant benefit outweighing harm to the green belt. The approved scheme would have the same benefit without harming the green belt.

6.03 It is therefore respectfully requested that the appeal be dismissed.

APPENDICES

1. Ordnance Survey Location Plan

2. Planning History - Decision Notices

3. Planning Policies relevant to appeal

4. Committee report for appeal proposal

DETR REF: APP/X0360/A/00/1053278
WYEVALE GARDEN CENTRE, FLORAL MILE, HARE HATCH TWFORD, NR READING, BERKSHIRE, RG10 9SW
APPEAL BY KENNEDY GARDEN CENTRES LTD, KINGS ACRE ROAD, HEREFORD, HR4 0SE

Schedule of Proposed Conditions

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission

reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990.

2. The materials to be used in the construction of the unimplemented part of the development hereby permitted shall match those used in the implemented part of the development hereby approved.

reason: In the interests of visual amenity.

3. Construction works of any sort shall only take place within the area covered by the application between the hours of 0700 and 1900 Monday to Friday and 0700 and 1330 Saturdays and no construction works shall take place on Sundays or Bank Holidays.

reason: In the interests of residential amenity.

4. Provision should be made to accommodate all site operatives' visitors' and construction vehicles loading, off-loading, parking and turning within the site during the construction period in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

reason: In the interests of highway safety and convenience.

5. Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on the adjacent public highways in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

reason: In the interests of highway safety and convenience.

6. Prior to the commencement of the unimplemented part of the development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include means of enclosure, hardsurfacing materials and associated structures.

reason: In the interests of the character and amenities of the locality

7. Soft landscaping works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment); schedule of plants, noting species, plant size and proposed number/ densities where appropriate; implementation and maintenance programme.

reason: In the interests of the character and amenities of the locality.

8. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out within one planting season of the granting of this permission.

reason: In the interests of the character and amenities of the locality

C0053/TH/th
7 February 2001
(propcond)

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL BY: Kennedy Garden Centres Ltd
SITE: Wyevale Garden Centre, Floral Mile, Hare Hatch, Wargrave
APPLICATION NO.: 1164
PROPOSAL: Proposed redevelopment of garden centre. (Amndment to consent 99/70375/F)

LIST OF PERSONS CIRCULATED WITH NOTICE OF APPEAL

District Councillor(s) for Wargrave

Mr F D Browne

Mr S E Etheridge

Clerk(s) of Parish / Town Council of Wargrave

Mr S Hedges, 47 Halifax Rd, Pinkneys Green, Maidenhead, Berks. SL6 5ES

Environmental Services Department, Engineering Services, Wokingham District Council,
PO Box 157, Council Offices, Shute End, WOKINGHAM, Berkshire, RG40 1WR

Environmental Design WDC
-Landscape

ATTENDANCE LIST AT PUBLIC INQUIRY

Appellant: KENNEDY GARDEN CENTRES LTD **Application number: F/2000/1164**

Site: WYEVALE GARDEN CENTRE, HARE HATCH, WARGRAVE

Proposal: Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)

Name	Address

ATTENDANCE LIST AT PUBLIC INQUIRY

Appellant: KENNEDY GARDEN CENTRES LTD **Application number: F/2000/1164**

Site: WYEVALE GARDEN CENTRE, HARE HATCH, WARGRAVE

Proposal: Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)

Name	Address

WOKINGHAM DISTRICT COUNCIL

STATEMENT OF CASE

APPEAL BY KENNEDY GARDEN CENTRES LTD AGAINST THE REFUSAL OF PLANNING PERMISSION FOR THE REDEVELOPMENT OF EXISTING GARDEN CENTRE AT KENNEDYS GARDEN CENTRE, BATH ROAD, WARGRAVE

LOCAL PLANNING AUTHORITY REFERENCE : F/2000/1164

DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS REFERENCE : APP/X0360/A/00/1053278

Wokingham District Council
Environmental Services Department
Civic Offices
Shute End
Wokingham
Berkshire
RG40 1WR

1.00 DESCRIPTION OF SITE AND SURROUNDINGS

1.01 The appeal site is located to the north-east of the settlement of Twyford. The site takes direct access from the A4 and lies to the north of this road. There are a scattering of nearby commercial uses on both sides of the road. The wider setting is one of open countryside.

1.02 The appeal site contains existing garden centre buildings together with covered areas and parking and circulation areas. Apart from the main garden centre building there are a farm shop, pet food shop and swimming pool sales area.

An ordnance survey location plan is contained in Appendix One.

2.00 PLANNING HISTORY

2.01 Relevant applications are listed:

34830	Proposed extensions	Refused	February 1990
39452	Redevelopment	Conditional Approval/Legal Agreement (withdrawn)	July 1992
97/65329/F	Erection of glass houses and extension to car park	Conditional Approval	July 1999
99/70375/F	Extension and alteration to garden centre	Conditional Approval	February 2000

Copies of the above decision notices are contained in Appendix Two.

3.00 PLANNING POLICIES

3.01 The Berkshire Structure Plan (BSP) was adopted in 1985 and therefore is part of the statutory development plan for the area. The relevant policy is:

C4 Control of Development in the Green Belt

3.02 The Green Belt Local Plan for Berkshire (GBLP) was adopted in 1985 and therefore also constitutes an approved development plan. However, a number of the policies in the GBLP, including Policy 17, which relates to small scale activities not covered by other policies of the plan, are not in conformity with the Structure Plan and, in these circumstances, the provisions of the Structure Plan should be implemented.

The relevant policy is:

Policy 1

3.03 The Draft Deposit Wokingham District Local Plan (DDWDLP) is an emerging local plan. Berkshire County Council issued a statement of general conformity with the structure plan in May 1997 and the Deposit Draft of the Wokingham District Local Plan was placed on deposit between 21 October and 2 December 1997. The document has been used for development control purposes since April 1997. Amendments were proposed and consultation on these took place between 23 April and 11 June 1999. The first phase of the Public Local Inquiry into the emerging plan took place between October 1998 and October 1999 and the second phase commenced in February 2000 and closed on 13 November.

The relevant policy is:

WGB1 Development in the Metropolitan Green Belt

Copies of the above policies are contained in Appendix Three.

4.00 APPEAL PROPOSAL

4.01 Seeks partial retrospective approval for a garden centre. The proposal is identical to the scheme approved under Application 99/70375/F with the exception of height and footprint. This involved the erection of a large greenhouse type structure.

4.02 At the meeting of the Development Control Sub-Committee on the 28th June members considered the planning application the subject of this appeal. The report to members recommended approval of the application.

4.03 The report stated that issues were finely balanced and it was a matter of judgement whether the proposal caused harm to the green belt and policies designed to protect the green belt. Members' judgement was that the proposal did indeed harm the green belt and that the proposal should be refused.

A copy of the committee report and decision notice are attached in Appendix Four.

5.00 THE COUNCIL'S CASE

5.01 In the view of the Council the main issue in the consideration of this proposal is:

Whether the proposal detracts from the open character of the green belt and is therefore contrary to policies designed to protect the green belt.

5.02 It will be argued that the proposal significantly detracts from the openness of the green belt. This is because of a significant increase in height and because there is also an increase in footprint in relation to the existing consent under Application 99/70375/F.

5.03 It will also be argued that the site is particularly prominent from the A4.

6.00 CONCLUSION AND COMMENTS ON GROUNDS OF APPEAL

6.01 For the above reasons the proposal clearly conflicts with Policy WGB1. It should also be noted that redevelopment of the appeal site does not appear to fall into any of the categories listed. The policy does state that in all cases development will need to retain the open character of the green belt.

6.02 Therefore even if the appeal proposal fell into one of the policy categories it would still fail this test.

6.03 Any benefit in terms of improved features to visitors and removal of existing buildings is not considered a significant benefit outweighing harm to the green belt. The approved scheme would have had the same benefit without harming the green belt.

ME/TAB
29.11.00

DOCUMENTS TO BE REFERRED TO AT THE INQUIRY

Berkshire Structure Plan

Green Belt Local Plan for Berkshire

Draft Deposit Wokingham District Local Plan

Planning History of the Site and Surroundings

Relevant Circulars and Planning Policy Guidance

Any other relevant document

LIST OF APPENDICES

1. ORDNANCE SURVEY LOCATION PLAN

2. DECISION NOTICES RELATING TO APPLICATION NUMBERS 34830, 39452, 97/65329/F & 99/70375/F.

3. PLANNING POLICIES.

4. COMMITTEE REPORT & DECISION NOTICE RELATING TO THIS APPLICATION.

Our Ref C0053/HFS

Department of the Environment
Ref: APP/X0360/A/00/1053278

WYEVALE GARDEN CENTRE
FLORAL MILE, HARE HATCH
TWYFORD, NR READING
BERKSHIRE RG10 9SW

APPEALS BY
Kennedy Garden Centres Ltd
Kings Acre Road
Hereford HR4 0SE

Statement of Case of Appellants under Rule 6 of the
Town & Country Planning Appeals (Determination by Inspectors)
(Inquiries Procedure) (England) Rules 2000

Nicholas Scott

CONSULTANTS LTD

1. THE APPEAL SITE AND ITS LOCATION

A full description will be given of the appeal site and environs which may be supported by appropriate location plans and photographs. The glasshouses will be described with particular reference to their height to ridge. It will be contended that, having regard to their location, materials and associated landscaping, to their limited visibility, and to the height of other structures in the vicinity, the glasshouses do not have an adverse effect on the openness or visual amenity of the Green Belt in this location.

2. HISTORY OF THE APPEAL SITE

A planning history of the appeal site where relevant to the appeal will be submitted. Planning decisions, Committee Reports and any relevant correspondence with the local planning authority and other parties may be referred to. The planning unit comprises a well established garden centre containing extensive hardsurfacings and structures. Extant planning permissions exist for the erection of substantial structures and for the laying out of car parking spaces.

3. DEVELOPMENT PLAN POLICIES AND CENTRAL GOVERNMENT ADVICE

The following Plans and Policies may be referred to:

Berkshire Structure Plan 1991/2006
Berkshire Green Belt Local Plan 1985
Wokingham District Local Plan Deposit Draft February 2000

PPG1 General Policies and Principles
PPG2 Green Belts
PPG18 Enforcing Planning Control

and such Government Advice and Circulars as the appellants may consider it appropriate to refer to.

4. PLANNING ISSUES

4.1 The Appeal proposal relates solely to changes in elevations to the replacement glasshouses which have already been approved in principle.

4.2 The principle of the replacement of the existing glasshouses has been established by planning permissions 97/65329/F dated 2 July 1999 and 99/70375/F dated 1 February 2000 for extensive hardsurfacings and buildings for the substantial garden centre use at the site. This is accepted the Local Planning Authority in their development control Committee Report of 28 June 2000 paragraph A:

"Impact on the Green Belt
The principle of redevelopment of the garden centre has been established by previous permissions, most notably 99/70375/F."

4.3 It will be contended that the determining issue is the visual impact, if any on the Green Belt (PPG2 paragraph 3.15). The Local Planning Authority have confirmed that notwithstanding that the refusal refers to *"height mass and bulk"*, there is no issue regarding design (apart from height) or materials or landscaping. Its objection will relate solely to the ridge height of the buildings. It will be contended by the Appellant that in any assessment the additional height is insignificant. There would be no perceptible height difference between the approved and the built glasshouses.

4.4 In terms of visual impact little is seen of the glasshouses from outside the site except in limited views mainly from the Bath Road, from which they are set well back. The site is well landscaped; further landscaping is proposed in accordance with approvals already given by the Local Planning Authority and could be further supplemented if considered necessary. The glasshouses need to be considered in the context of other buildings and structures on nearby sites in the immediate vicinity, some of which are of greater height. Overall the development would appear similar to that of the development already permitted. The additional height is insignificant.

4.5 No increase in harm to the Green Belt in this locality arises by way of visual impact arising from the increased height. This is also the view taken by the Head of Planning in the Conclusion to the Committee Report of 28 June 2000:

"It is considered that the distance from Bath Road, the level of soft landscaping and the fact that the height is distributed across the five gables are such that the proposal would not appear detrimental to the visual and open/rural character of the Green Belt."

4.6 The glasshouses are attractive and suitable for their purpose being a modern garden centre which is popular with the public.

4.7 The consequence of dismissal of the appeal is a material consideration. Reducing the roof height would not be a straightforward matter. It would require substantial expenditure, and result in considerable inconvenience. Structural and landscape materials might be wasted, contrary to the principles of sustainability. It would not achieve any identifiable planning purpose as the glasshouses are not visually detrimental by reason of their height, nor indeed by any other reason.

4.8 Insofar as policy is relevant (the issue being essentially one of planning judgement) the appeal proposal complies with the environmental and design criteria of Policy C4 of the Berkshire Structure Plan 1991 - 2006, Policy 1 of the Green Belt Local Plan for Berkshire April 1985, and Policy WGB1 of the Wokingham District Local Plan Deposit Draft as amended February 2000. The appeal proposals comply with the Policy WOS1, WOS3 and WOS5 of the Wokingham District Local Plan Deposit Draft as amended February 2000 with regard to sustainability, making a positive contribution to the environment and landscape and by conserving natural resources.

C0053/HFS/FW 18 December 2000

(whrulest)

Tel: (0118) 9746454 (Direct Line)
Fax: (0118) 974 6484
Email: Mike.Evans@wokingham.gov.uk
Date: 28.2.2001
My ref: F/2000/1164

Miss A. Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
Bristol
BS2 9DJ

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

APPEAL BY KENNEDYS GARDEN CENTRE, BATH ROAD, HARE HATCH, READING: REF APP/X0360/A/00/1053278

Dear Miss Groves

I am writing to you regarding the statement of common ground submitted on behalf of the appellant.
The statement contains matters subject to query.
Para 2.4 The statement refers to several retail structures – I have asked for clarification what these are. I am aware of the main appeal building – I am not aware of any other equally substantial retail structures on this site.
Para 3.1.3(iv) I have found the plans referred to here and am happy on this point.
Para 4.5 I do not accept the implication that the Council's objection can solely be confined to the height of the building. My calculations also show an increase in floorspace and I reserve the right to comment on this and any other relevant matter.

The statement of common ground is therefore not an agreed statement.

Yours sincerely

M. Evans
Team Leader Enforcement

CC Malcolm Scott Consultants Ltd

1164

34475

Tel. (0118) 974 6487 (Direct Line)
Fax. (0118) 974 6484
Email. John.Mitchell@wokingham.gov.uk
Date 20 October 2000
My ref. JRM/SB/F/2000/1164
Your ref. C0053/HFS/FW

Ms Helen Scott
Malcolm Scott Consultants Ltd
Grove House
1 Loves Grove
WORCESTER
WR1 3BU

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P.O. Box 157
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Dear Ms Scott

WYEVALE GARDEN CENTRE, FLORAL MILE, HARE HATCH
REFUSAL OF PLANNING PERMISSION F/2000/1164

Thank you for your letter of 18 September 2000. I apologise for the delay in replying.

I confirm that the first 3 paragraphs in chief of your letter broadly accurately reflect the Council's position. In short the Council has abstained from taking action for 6 months in order to give your clients a chance to voluntarily remedy the breach of planning control or to come up with an alternative scheme of compliance which would be satisfactory to the Council.

If at the end of 6 months this has not happened then the Council would proceed with enforcement.

I do not necessarily accept that the development refused gives rise to no adverse planning consequences whatsoever and do agree with Members and the report that the matter is finely balanced. I would be more than happy to discuss these matters further with you and again I apologise for the delay in replying.

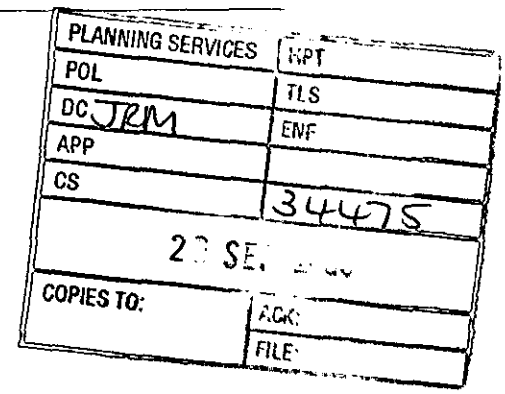
Yours sincerely

JOHN MITCHELL
Development Control Manager

REPLY REQUIRED 4/10

Malcolm Scott

CONSULTANTS LTD



C0053/HFS/FW

Chief Planning Officer
Wokingham District Council
PO Box 157
Shute End
WOKINGHAM
RG40 1WR

18 September 2000

Dear Sir

WYEVALE GARDEN CENTRE, FLORAL MILE, HARE HATCH : REFUSAL OF PLANNING PERMISSION F/2000/1164

I thought that it may be helpful if I set out my client's current position in this matter.

They have noted that the Committee resolved to await the expiration of six months in order to establish whether my clients are to appeal rather than take immediate enforcement action. Our clients are carefully considering their position following the refusal. They have already made clear that they regret the error which resulted in the erection of Phase I replacement buildings which were not in accordance with the approved plan. Although the application to regularise the position is described in the Report to Committee as "partial retrospective approval for a garden centre" it was intended, of course, to authorise the elevations of the buildings as built (Phase I) and to be built (Phase II).

Notwithstanding that the refusal refers to "height, mass and bulk", the Reports and correspondence make clear that from the Council's point of view the objection is in reality based solely on the height of the buildings. The Council's concern is as to the openness of the Green Belt. There is no issue regarding design (apart from height) or materials or landscaping.

I understood that you were to write to me to set out the Authority's view in greater detail and I would be grateful if you could confirm that my understanding is correct and make the Council's position clear. This will enable my clients to complete their deliberations.

I have expressed my firm opinion to them that the development refused gives rise to no adverse planning consequences whatsoever and that I agree with the Officer's assessment set out in the Report, except that I cannot agree that it is a "finely balanced" matter. I have no doubt that given the location, surroundings, topography and the existing and proposed planting and landscaping, the proposal does not adversely affect the Green Belt functions, aims or purposes in this area.

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ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE DESIGN
TOWN PLANNING

DIRECTORS: MALCOLM W G SCOTT DipTP MA MRTPI ALI HELEN F SCOTT BH(Hons) Dip TP MRTPI CHRISTPHER PRIMETT BA (Hons) MTp MRTPI MIMC

It may be helpful if I indicate that in these circumstances their present feeling is that the most appropriate course to resolve the matter one way or the other would be to appeal but they wish to await receipt of your comments before making a final decision.

I await hearing from you as soon as possible.

Yours faithfully
for MALCOLM SCOTT CONSULTANTS LTD.,

Helen Scott

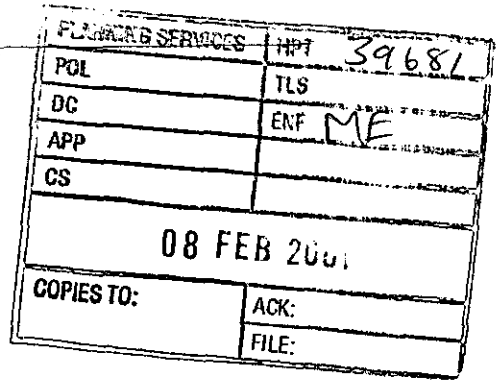
HELEN SCOTT

cc: Mr S Cooper, Wyevale Garden Centres Plc
Counsel

(1809wdc)

Malcolm Scott

CONSULTANTS LTD



C0053/HFS/TH

Chief Planning Officer
Environmental Services Department
Planning Services
Wokingham District Council
PO Box 157
Shute End
Wokingham
Berkshire RG40 1WR

For the attention of Mr M Evans

7 February 2001

Dear Sir

KENNEDYS GARDEN CENTRE, FLORAL MILE, HARE HATCH, TWYFORD, NR READING: APPEAL REFERENCE: APP/XO360/A/00/1053278: STATEMENT OF COMMON GROUND

I refer to recent correspondence with Mr Evans in connection with the above.

Unfortunately your response of late yesterday afternoon 6 February 2001 to our Draft Statement of Common Ground faxed to you on 30 January 2001 was made too late to allow time to agree a joint Statement. I comment on the points raised by Mr Evans in the order they were made:

1. I refer to the retail structures on the appeal site several of which are substantial.

2. This is a plan approved by Wokingham District Council under planning permission 97/65329/F.

3. Agreed. The Statement has been duly amended.

4. Paragraph 4.5 is not an interpretation. I have re-read the correspondence and consider the statement is accurate. The Development Control Manager confirmed that the paragraph 'broadly accurately' reflects the Council's position. The statement has been amended to include the phrase 'broadly accurately'.

5. I agree that we should try and agree figures prior to the inquiry. However, there appear to be some discrepancies in the figures and your response arrived too late to incorporate figures into the statement.

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INTERIOR DESIGN
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TOWN PLANNING

DIRECTORS: MALCOLM W G SCOTT DipTP MA MRTPI ALI
HELEN F SCOTT BH(Hons) Dip TP MRTPI
CHRISTOPHER PRIMETT BA (Hons) MTp MRTPI MIMC

6. The Schedule of Proposed Conditions has been forwarded to the Planning * Inspectorate incorporating your proposed amendment. I enclose a copy for your information.

* I enclose a copy of the final Statement of Common Ground sent to the Planning Inspectorate today.

Yours faithfully
for MALCOLM SCOTT CONSULTANTS LTD.,

Helen Scott

HELEN SCOTT

cc: The Planning Inspectorate
Mr S Cooper, Wyevale Garden Centres
Counsel

Our Ref C0053/HFS

Department of the Environment
Ref: APP/X0360/A/00/1053278

WYEVALE GARDEN CENTRE
FLORAL MILE, HARE HATCH
TWYFORD, NR READING
BERKSHIRE RG10 9SW

APPEALS BY
Kennedy Garden Centres Ltd
Kings Acre Road
Hereford HR4 0SE

Statement of Common Ground under Rule 15 of the Town & Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000

1. INTRODUCTION

1.1 The purpose of this statement is to set out the matters agreed by the appellants and Wokingham District Council.

2. THE APPEAL SITE

2.1 Site Area

3.6ha.

2.2 Location

To the north of the A4 approximately midway between settlements of Reading and Maidenhead to the west of Hare Hatch.

2.3 Land Use

Garden centre.

2.4 Development on Site

Several substantial retail structures, areas of hardstanding for outdoor display and sales, containing covered walkways, garden buildings and numerous sales beds, and areas of car parking and landscaping.

3. RELEVANT PLANNING PERMISSIONS

3.1 LPA reference 97/65329/F

3.1.1 Decision date

2 July 1999

3.1.2 Description of Development

Proposed erection of two glass houses extension to existing car park plus alterations to access.

3.1.3 Approved drawings

Powell Design Partnership drawings:

i) Revision D Site Plan as Proposed (18 October 1996) (revised plan received by WDC 19 June 1997)

ii) Revision A Site Survey Plan as Existing (9 October 1996) (Revised drawing received by WDC 19 June 1997)

iii) Scheme B Elevations (25 January 1997)

iv) Plan as Proposed (18 October 1996)

3.2 LPA reference 99/70375/F

3.2.1 Decision Date

1 February 2000

3.2.2 Description of Development

Proposed erection of replacement buildings at centre (amendment to approval 97/65329/F)

3.2.3 Approved Drawings

i) Location Plan

ii) HHA-004.REV01 ELEVATIONS (July 1999)

iii) HHA-004.REV01 PLAN (July 1999)

3.2.4 Landscape drawing approved pursuant to condition 05

Anthony Jellard Associates' drawing 2014/5/01 revision A Landscape Proposals (February 2000).

3.2.5 Materials approved pursuant to condition 02

Brick Plinths - Ibstock Cattybrook Brunswick Red
Walls - Thermoclear sheet opal
Roof - North, east and west elevations - Thermoclear sheet opal
Roof - South elevation - Thermoclear sheet opaque
Roof over aquatics, kitchen and restaurants areas only - Syntha Pulmin Plus RAL 2006 by HB fuller coatings.

3.2.6 Materials subsequently approved by the LPA

The eastern elevation was constructed in Thermoclear sheet opal as approved. However the Local Planning Authority considered the walls should be more transparent. The appellants were requested to construct the eastern elevation in clear polycarbonate, which they duly did. □

4. THE APPEAL

4.1 LPA Reference

F/2000/1164

4.2 Decision Date

19 July 2000

4.3 Description of Development

Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)

4.4 Reason for Refusal

The proposed building, by reason of its increased height, mass and bulk would result in a visually intrusive form of development, detrimental to the open character of the Green Belt. As such, it represents an inappropriate form of development in the Green belt. The proposal is contrary to Policy 1 of the Green Belt Local Plan for Berkshire, Policy C4 of the Berkshire Structure Plan and Policy WGB1 of the Wokingham District Local Plan (Deposit Draft) as modified

4.5 The Main Issue

The Development Control Manager at Wokingham District Council has confirmed in a letter dated 20 October 2000 that the Council's position is 'broadly accurately' that:

> *"Notwithstanding that the refusal refers to "height, mass and bulk", the Reports and correspondence make clear that from the Council's point of view the objection is in reality based solely on the height of the buildings. The Council's concern is as to the openness of the Green Belt. There is no issue regarding design (apart from height) or materials or landscaping."*

4.6 Appeal Drawings

i) Location Plan

ii) Hollins' drawing 99148/10 revision B Proposed Elevations (March 2000)

4.7 The relationship of the footprints of the development approved under 99/70375/F and the appeal proposals is as shown on the attached drawing C0053 SK/06.

4.8 Heights of glasshouses approved under planning permission 99/70375/F

4.7 and 4.2 to ridge

4.9 Heights of appeal glasshouses

6.4 and 5.8 to ridge

5. THE DEVELOPMENT PLAN

5.1 Structure Plan

Berkshire Structure Plan 1991-2006.

5.2 Local Plan

Berkshire County Council Green Belt Local Plan 1985.

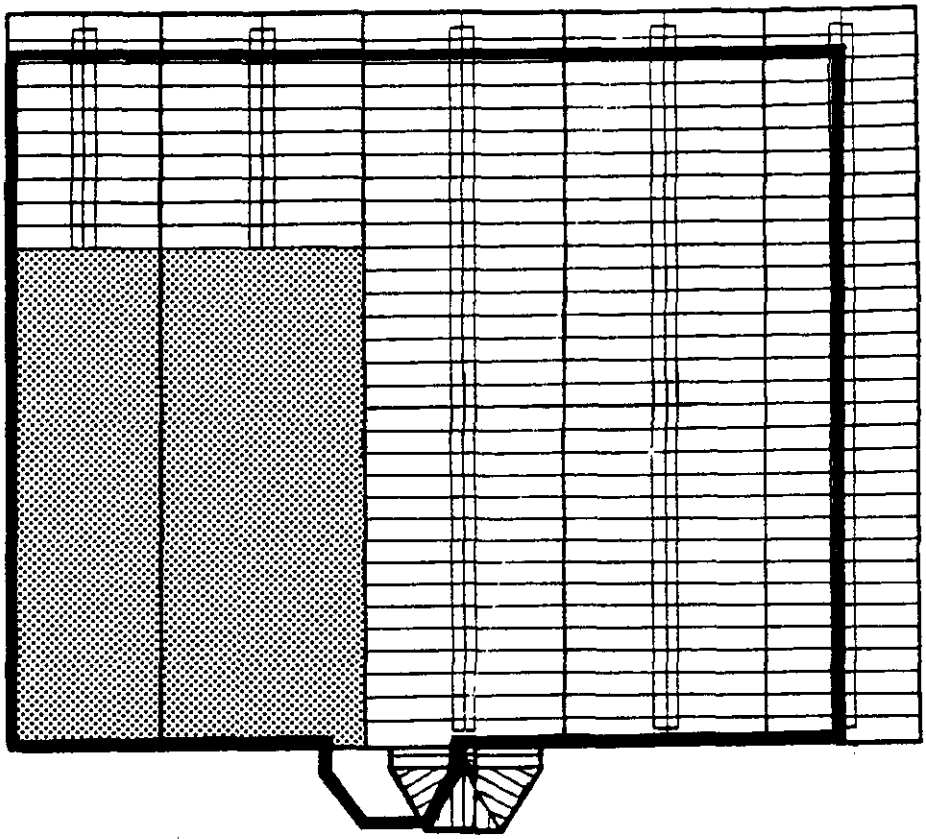
5.3 Emerging Local Plan

Wokingham District Local Plan Deposit Draft February 2000.

5.4 Development Plan Designation

The appeal site lies within the Green Belt

C0053/TH/th
7 February 2001
(cmngmd3)



N

LEGEND

Planning Permission 99/70375

Appeal Development as Built

Appeal Development Unbuilt

Wyevale Garden Centre, Hare Hatch
Footprints

scale 1:500 Date: January 2001 Dwg no C0053 SK/06

© Malcolm Scott Consultants Ltd 2001

Malcolm Scott
CONSULTANTS LTD

DETR REF: APP/X0360/A/00/1053278
WYEVALE GARDEN CENTRE, FLORAL MILE, HARE HATCH TWFORD, NR READING, BERKSHIRE, RG10 9SW
APPEAL BY KENNEDY GARDEN CENTRES LTD, KINGS ACRE ROAD, HEREFORD, HR4 0SE

Schedule of Proposed Conditions

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission

reason: In pursuance of Section 91(1) of the Town and Country Planning Act 1990.

2. The materials to be used in the construction of the unimplemented part of the development hereby permitted shall match those used in the implemented part of the development hereby approved.

reason: In the interests of visual amenity.

3. Construction works of any sort shall only take place within the area covered by the application between the hours of 0700 and 1900 Monday to Friday and 0700 and 1330 Saturdays and no construction works shall take place on Sundays or Bank Holidays.

reason: In the interests of residential amenity.

4. Provision should be made to accommodate all site operatives' visitors' and construction vehicles loading, off-loading, parking and turning within the site during the construction period in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

reason: In the interests of highway safety and convenience.

5. Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on the adjacent public highways in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

reason: In the interests of highway safety and convenience.

6. Prior to the commencement of the unimplemented part of the development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include means of enclosure, hardsurfacing materials and associated structures.

reason: In the interests of the character and amenities of the locality

7. Soft landscaping works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment); schedule of plants, noting species, plant size and proposed number/ densities where appropriate; implementation and maintenance programme.

reason: In the interests of the character and amenities of the locality.

8. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out within one planting season of the granting of this permission.

reason: In the interests of the character and amenities of the locality

C0053/TH/th
7 February 2001
(propcond)

Tel: (0118) 974 6448 (Direct Line)
Date. February 5, 2001
My ref: F/2000/1164
Your ref:

D A McClure Fisher
"Shelleys"
Tag Lane
Hare Hatch
Twyford
RG10 9ST

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
NOTICE OF PUBLIC INQUIRY

APPEAL BY:	**Kennedy Garden Centres**
SITE:	**Wyevale Garden Centre, Floral Mile, Hare Hat**
APPLICATION No:	**F/2000/1164**
PROPOSAL:	**Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)**

Further to my letter of November 17 2000, I am writing to inform you that an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions, will attend at the Civic offices, Shute End, Wokingham, on Wednesday March 7 2001 at 10.00 am to hold a Local Inquiry into the above appeal.

You may attend the inquiry and, at the Inspector's discretion, give your views.

Documents relating to the appeal may be inspected in the Environmental Services Department (Planning) at the Civic Offices, Shute End, Wokingham, Berkshire during normal office hours (08.30 to 17.00 on Mondays to Thursdays, 08.30-16.00 on Fridays).

Anyone with a disability who wishes to attend the Inquiry, is advised to contact the Council to check that suitable facilities are available.

The Planning Inspectorate will send the decision on this Appeal only to those persons who write to them asking to be notified.

Yours faithfully

Denise Gumbrell
Appeals Assistant

Tel: (0118) 974 6448 (Direct Line)
Date. November 17, 2000
My ref: F/2000/1164
Your ref:

D A McClure Fisher
"Shelleys"
Tag Lane
Hare Hatch
Berks
RG10 9ST

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
NOTICE OF PUBLIC INQUIRY

APPEAL BY:	**Kennedy Garden Centres**
SITE:	**Wyevale Garden Centre, Floral Mile, Hare Hatch**
APPLICATION No:	**F/2000/1164**
PROPOSAL:	**Proposed redevelopment of garden centre (Amendment to consent 99/70375/F)**

I write to inform you that an Inspector appointed by the Secretary of State for the Environment, Transport and the Regions, will attend at the Civic offices, Shute End, Wokingham, on a date to be advised, to hold a Local Inquiry into the above appeal.

Any comments made at the application stage will be copied to the Inspectorate. If you wish to make further representations, three copies should be sent to Mrs C Bate, The Planning Inspectorate, Room 1004, Tollgate House, Houlton Street, Bristol, BS2 9DJ quoting reference APP/X0360/A/00/1053278, to arrive no later than 21/12/00. Comments received after this deadline will not normally be seen by the Inspector & they will be returned.

A free booklet, "Guide to taking part in planning appeals is available from this office."

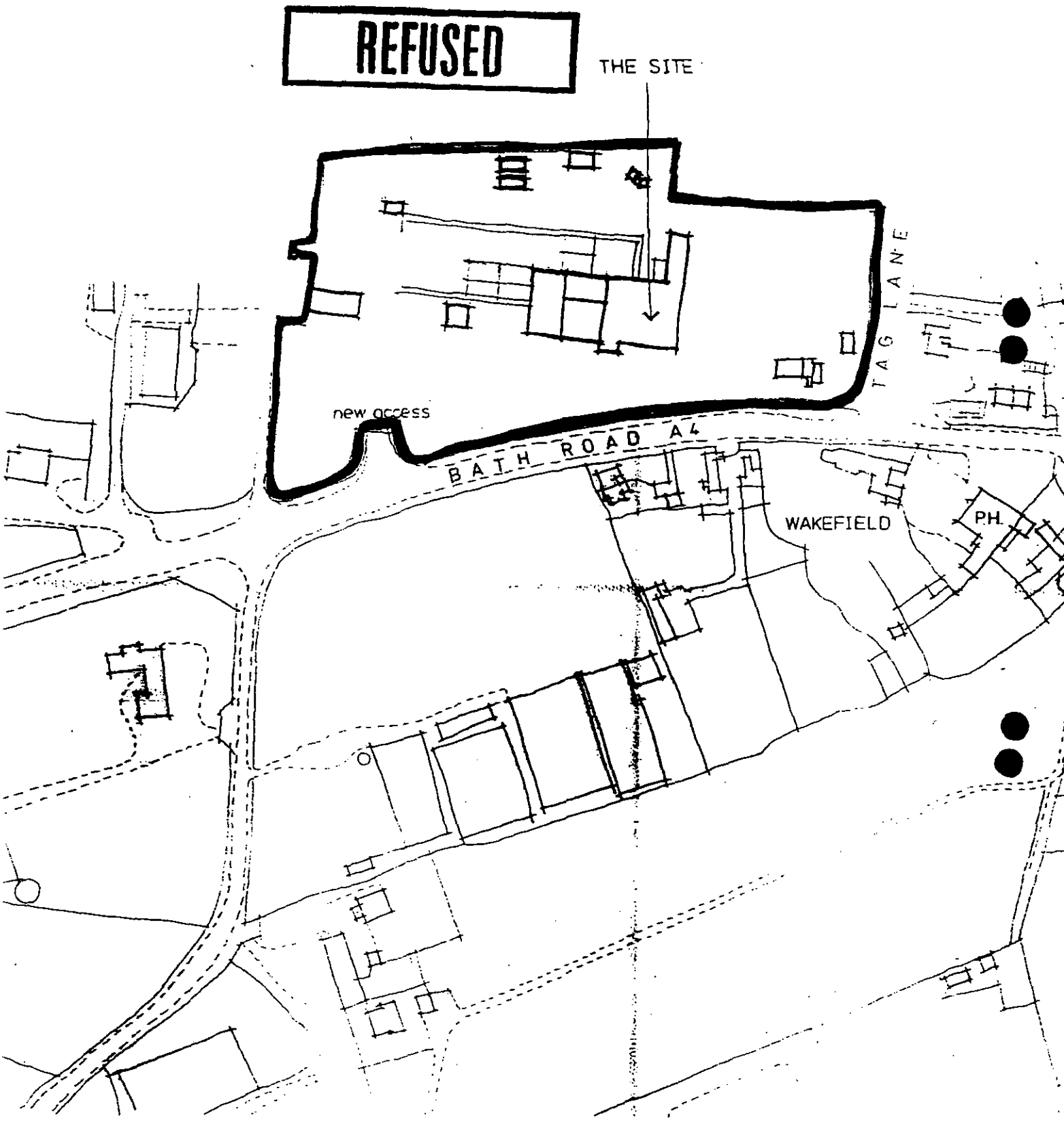
If you wish to receive a copy of the Appeal Decision, you should write to the Inspectorate & request one.

Yours faithfully

Denise Gumbrell
Appeals Assistant

04.APR.2000* 1164

REFUSED



LOCATION PLAN.

The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9876079
Switchboard 0117-9878000
Fax No 0117-9878443
GTN 1374-6079

39492

Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2000/1164

Our Ref: APP/X0360/A/00/1053278

Date: 1 February 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY KENNEDY GARDEN CENTRES LTD
SITE AT WYEVALE GARDEN CENTRE, BATH ROAD, HARE HATCH, READING

Here is a copy of the site notice giving the inquiry details. The inquiry is scheduled to last 1 day. Please let me know within 5 working days, if you think more time is needed.

Please tell the owners and occupiers of property near the site of the inquiry details immediately. You should also tell others you consider to be affected by or interested in the proposed development, including any persons or bodies who made representations at application stage. Your letter should cover:

- the location of the site and a description of the appeal proposals;
- the inquiry details;
- where your and the appellant's statements, proofs of evidence, summaries and statement of common ground can be seen;
- that they may attend the inquiry and at the Inspector's discretion, give their views;
- what facilities are available for people with disabilities e.g. parking spaces, access and seating arrangements;
- that we will send a copy of the Inspector's decision to those who ask for one in writing.

The press should be informed of inquiries.

We aim to issue decision letters within 7 weeks of the close of a one or two day inquiry. If there is likely to be a significant delay, we will let you know.

Yours faithfully



Miss A Groves

311(BPR)

The Planning Inspectorate

Room 1201
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9878319
Switchboard 0117-9878000
Fax No 0117-9878804
GTN 1374-8319

PLANNING SERVICES APT 39403
POL TLS
DC
APP
CS
01 FEB 2001
COPIES TO: ACK:
FILE:

Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2000/1164

Our Ref: APP/X0360/A/00/1053278

Date: 30 January 2001

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY KENNEDY GARDEN CENTRES LTD
SITE AT WYEVALE GARDEN CENTRE, BATH ROAD, HARE HATCH, READING

NOTIFICATION OF INSPECTOR

I am writing to inform you that the Inspector appointed to hold the inquiry into the above appeal will now be:

Mr J G Roberts BSc (Hons) DipTP MRTPI.

You have already been given notice of the arrangements for this inquiry.

Yours faithfully

Mr N Chidsey

NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.

206C

Tel. (0118) 974 6448 (Direct Line)
Date: February 1, 2001
My ref: F/2000/1164
Your ref: APP/X0360/A/00/1053278

COPY

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Dear Miss Groves

APPEAL BY: Kennedy Garden Centres Ltd
SITE: Wyevale Garden Centre, Bath Rd, Hare Hatch

With reference to this appeal, I enclose 2 copies of the Council's proof of evidence.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel: (0118) 974 6448 (Direct Line)
Fax: (0118) 974 6484
Date: February 1, 2001
My ref: F/2000/1164
Your ref: APP/X0360/A/00/1053278

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Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Dear Miss Groves

APPEAL BY: Kennedy Garden Centres Ltd

SITE: Wyevale Garden Centre, Bath Rd, Hare Hatch

INQUIRY DATE: Wednesday 7 March 2001

Enclosed with this letter is a leaflet showing the venue for the Inquiry & the car park recommended for the Inspector's use. Both are circled in red.

Please forward this letter & the leaflet to the Inspector concerned.

I hope this is helpful, and that the Inspector finds a parking space without a problem.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Our Ref C0053/HFS

Department of the Environment
Ref: APP/X0360/A/00/1053278

WYEVALE GARDEN CENTRE
FLORAL MILE, HARE HATCH
TWYFORD, NR READING
BERKSHIRE RG10 9SW

APPEALS BY
Kennedy Garden Centres Ltd
Kings Acre Road
Hereford HR4 0SE

Statement of Case of Appellants under Rule 6 of the
Town & Country Planning Appeals (Determination by Inspectors)
(Inquiries Procedure) (England) Rules 2000

□

Nicholas Scott

CONSULTANTS LTD

□

1. THE APPEAL SITE AND ITS LOCATION

A full description will be given of the appeal site and environs which may be supported by appropriate location plans and photographs. The glasshouses will be described with particular reference to their height to ridge. It will be contended that, having regard to their location, materials and associated landscaping, to their limited visibility, and to the height of other structures in the vicinity, the glasshouses do not have an adverse effect on the openness or visual amenity of the Green Belt in this location.

2. HISTORY OF THE APPEAL SITE

A planning history of the appeal site where relevant to the appeal will be submitted. Planning decisions, Committee Reports and any relevant correspondence with the local planning authority and other parties may be referred to. The planning unit comprises a well established garden centre containing extensive hardsurfacings and structures. Extant planning permissions exist for the erection of substantial structures and for the laying out of car parking spaces.

3. DEVELOPMENT PLAN POLICIES AND CENTRAL GOVERNMENT ADVICE

The following Plans and Policies may be referred to:

Berkshire Structure Plan 1991/2006
Berkshire Green Belt Local Plan 1985
Wokingham District Local Plan Deposit Draft February 2000

PPG1 General Policies and Principles
PPG2 Green Belts
PPG18 Enforcing Planning Control

and such Government Advice and Circulars as the appellants may consider it appropriate to refer to.

4. PLANNING ISSUES

4.1 The Appeal proposal relates solely to changes in elevations to the replacement glasshouses which have already been approved in principle.

4.2 The principle of the replacement of the existing glasshouses has been established by planning permissions 97/65329/F dated 2 July 1999 and 99/70375/F dated 1 February 2000 for extensive hardsurfacings and buildings for the substantial garden centre use at the site. This is accepted the Local Planning Authority in their development control Committee Report of 28 June 2000 paragraph A:

"Impact on the Green Belt
The principle of redevelopment of the garden centre has been established by previous permissions, most notably 99/70375/F."

4.3 It will be contended that the determining issue is the visual impact, if any on the Green Belt (PPG2 paragraph 3.15). The Local Planning Authority have confirmed that notwithstanding that the refusal refers to *"height mass and bulk"*, there is no issue regarding design (apart from height) or materials or landscaping. Its objection will relate solely to the ridge height of the buildings. It will be contended by the Appellant that in any assessment the additional height is insignificant. There would be no perceptible height difference between the approved and the built glasshouses.

4.4 In terms of visual impact little is seen of the glasshouses from outside the site except in limited views mainly from the Bath Road, from which they are set well back. The site is well landscaped; further landscaping is proposed in accordance with approvals already given by the Local Planning Authority and could be further supplemented if considered necessary. The glasshouses need to be considered in the context of other buildings and structures on nearby sites in the immediate vicinity, some of which are of greater height. Overall the development would appear similar to that of the development already permitted. The additional height is insignificant.

4.5 No increase in harm to the Green Belt in this locality arises by way of visual impact arising from the increased height. This is also the view taken by the Head of Planning in the Conclusion to the Committee Report of 28 June 2000:

"It is considered that the distance from Bath Road, the level of soft landscaping and the fact that the height is distributed across the five gables are such that the proposal would not appear detrimental to the visual and open/rural character of the Green Belt."

4.6 The glasshouses are attractive and suitable for their purpose being a modern garden centre which is popular with the public.

4.7 The consequence of dismissal of the appeal is a material consideration. Reducing the roof height would not be a straightforward matter. It would require substantial expenditure, and result in considerable inconvenience. Structural and landscape materials might be wasted, contrary to the principles of sustainability. It would not achieve any identifiable planning purpose as the glasshouses are not visually detrimental by reason of their height, nor indeed by any other reason.

4.8 Insofar as policy is relevant (the issue being essentially one of planning judgement) the appeal proposal complies with the environmental and design criteria of Policy C4 of the Berkshire Structure Plan 1991 - 2006, Policy 1 of the Green Belt Local Plan for Berkshire April 1985, and Policy WGB1 of the Wokingham District Local Plan Deposit Draft as amended February 2000. The appeal proposals comply with the Policy WOS1, WOS3 and WOS5 of the Wokingham District Local Plan Deposit Draft as amended February 2000 with regard to sustainability, making a positive contribution to the environment and landscape and by conserving natural resources.

C0053/HFS/FW 18 December 2000

(whrulest)

WOKINGHAM DISTRICT COUNCIL

STATEMENT OF CASE

APPEAL BY KENNEDY GARDEN CENTRES LTD AGAINST THE REFUSAL OF PLANNING PERMISSION FOR THE REDEVELOPMENT OF EXISTING GARDEN CENTRE AT KENNEDYS GARDEN CENTRE, BATH ROAD, WARGRAVE

LOCAL PLANNING AUTHORITY REFERENCE : F/2000/1164

DEPARTMENT OF THE ENVIRONMENT, TRANSPORT AND THE REGIONS REFERENCE : APP/X0360/A/00/1053278

Wokingham District Council
Environmental Services Department
Civic Offices
Shute End
Wokingham
Berkshire
RG40 1WR

1.00 DESCRIPTION OF SITE AND SURROUNDINGS

1.01 The appeal site is located to the north-east of the settlement of Twyford. The site takes direct access from the A4 and lies to the north of this road. There are a scattering of nearby commercial uses on both sides of the road. The wider setting is one of open countryside.

1.02 The appeal site contains existing garden centre buildings together with covered areas and parking and circulation areas. Apart from the main garden centre building there are a farm shop, pet food shop and swimming pool sales area.

An ordnance survey location plan is contained in Appendix One.

2.00 PLANNING HISTORY

2.01 Relevant applications are listed:

34830	Proposed extensions	Refused	February 1990
39452	Redevelopment	Conditional Approval/Legal Agreement (withdrawn)	July 1992
97/65329/F	Erection of glass houses and extension to car park	Conditional Approval	July 1999
99/70375/F	Extension and alteration to garden centre	Conditional Approval	February 2000

Copies of the above decision notices are contained in Appendix Two.

3.00 PLANNING POLICIES

3.01 The Berkshire Structure Plan (BSP) was adopted in 1985 and therefore is part of the statutory development plan for the area. The relevant policy is:

C4 Control of Development in the Green Belt

3.02 The Green Belt Local Plan for Berkshire (GBLP) was adopted in 1985 and therefore also constitutes an approved development plan. However, a number of the policies in the GBLP, including Policy 17, which relates to small scale activities not covered by other policies of the plan, are not in conformity with the Structure Plan and, in these circumstances, the provisions of the Structure Plan should be implemented.
The relevant policy is:

Policy 1

3.03 The Draft Deposit Wokingham District Local Plan (DDWDLP) is an emerging local plan. Berkshire County Council issued a statement of general conformity with the structure plan in May 1997 and the Deposit Draft of the Wokingham District Local Plan was placed on deposit between 21 October and 2 December 1997. The document has been used for development control purposes since April 1997. Amendments were proposed and consultation on these took place between 23 April and 11 June 1999. The first phase of the Public Local Inquiry into the emerging plan took place between October 1998 and October 1999 and the second phase commenced in February 2000 and closed on 13 November.
The relevant policy is:

WGB1 Development in the Metropolitan Green Belt

Copies of the above policies are contained in Appendix Three.

4.00 APPEAL PROPOSAL

4.01 Seeks partial retrospective approval for a garden centre. The proposal is identical to the scheme approved under Application 99/70375/F with the exception of height and footprint. This involved the erection of a large greenhouse type structure.

4.02 At the meeting of the Development Control Sub-Committee on the 28th June members considered the planning application the subject of this appeal. The report to members recommended approval of the application.

4.03 The report stated that issues were finely balanced and it was a matter of judgement whether the proposal caused harm to the green belt and policies designed to protect the green belt. Members' judgement was that the proposal did indeed harm the green belt and that the proposal should be refused.

A copy of the committee report and decision notice are attached in Appendix Four.

5.00 THE COUNCIL'S CASE

5.01 In the view of the Council the main issue in the consideration of this proposal is:

Whether the proposal detracts from the open character of the green belt and is therefore contrary to policies designed to protect the green belt.

5.02 It will be argued that the proposal significantly detracts from the openness of the green belt. This is because of a significant increase in height and because there is also an increase in footprint in relation to the existing consent under Application 99/70375/F.

5.03 It will also be argued that the site is particularly prominent from the A4.

6.00 CONCLUSION AND COMMENTS ON GROUNDS OF APPEAL

6.01 For the above reasons the proposal clearly conflicts with Policy WGB1. It should also be noted that redevelopment of the appeal site does not appear to fall into any of the categories listed. The policy does state that in all cases development will need to retain the open character of the green belt.

6.02 Therefore even if the appeal proposal fell into one of the policy categories it would still fail this test.

6.03 Any benefit in terms of improved features to visitors and removal of existing buildings is not considered a significant benefit outweighing harm to the green belt. The approved scheme would have had the same benefit without harming the green belt.

ME/TAB
29.11.00

DOCUMENTS TO BE REFERRED TO AT THE INQUIRY

Berkshire Structure Plan

Green Belt Local Plan for Berkshire

Draft Deposit Wokingham District Local Plan

Planning History of the Site and Surroundings

Relevant Circulars and Planning Policy Guidance

Any other relevant document

LIST OF APPENDICES

1. ORDNANCE SURVEY LOCATION PLAN

2. DECISION NOTICES RELATING TO APPLICATION NUMBERS 34830, 39452, 97/65329/F & 99/70375/F.

3. PLANNING POLICIES.

4. COMMITTEE REPORT & DECISION NOTICE RELATING TO THIS APPLICATION.

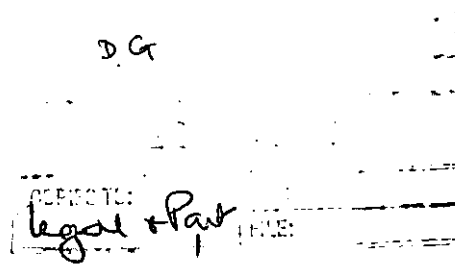
C0053

Malcolm Scott

CONSULTANTS LTD

18-12-00

Fao: Environmental Services Department



With Compliments

REGISTERED OFFICE:
MALCOLM SCOTT CONSULTANTS LTD
GROVE HOUSE, 1 LOVES GROVE
WORCESTER WR1 3BU UK
TEL: (+44) 01905 726353
FAX: (+44) 01905 611221
EMAIL: [redacted]onsultants@virgin.net
REGISTRATION NO.: 1992131

ARCHITECTURE
INTERIOR DESIGN
LANDSCAPE DESIGN
TOWN PLANNING

DIRECTORS:
MALCOLM W G SCOTT DipTP MA MRTPI ALI HELEN F SCOTT BA(Hons) Dip TP MRTPI
CHRISTOPHER PRIMETT BA(Hons) MTp MRTPI MIMC

Malcolm Scott

CONSULTANTS LTD

C0053/HFS/hs

Department of the Environment Ref: APP/X0360/A/00/1053278

Miss A Bibi
Room 104
The Planning Inspectorate
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

18 December 2000

Dear Miss Bibi

TOWN AND COUNTRY PLANNING ACT (1990); APPEAL UNDER SECTION 78; WYEVALE GARDEN CENTRE, HARE HATCH, BERKSHIRE

* Please find enclosed two copies of the appellant's Statement under Rule 6 in connection with the above. I confirm that a copy is being sent to Engineering Services, Wokingham District Council.

In view of the ongoing postal difficulties, I would be grateful if you would fax to us the Council's Rule Statement and any comments from statutory and interested parties.

Yours sincerely
for MALCOLM SCOTT CONSULTANTS LTD.,

Helen F Scott

HELEN SCOTT

Cc: Mr S Cooper, Wyevale Garden Centres Plc
Counsel
Environmental Services Department, Engineering Services, Wokingham District Council

(1812pinsdoc)

REGISTERED OFFICE:
MALCOLM SCOTT CONSULTANTS LTD
GROVE HOUSE, 1 LOVES GROVE
WORCESTER WR1 3BU UK
TEL: (+44) 01905 726353
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REGISTRATION NO: 1902131

ARCHITECTURE
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HELEN F SCOTT BH(Hons) Dip TP MRTPI
CHRISTPHER PRIMETT BA (Hons) MTp MRTPI MIMC

Our Ref C0053/HFS

Department of the Environment
Ref: APP/X0360/A/00/1053278

WYEVALE GARDEN CENTRE
FLORAL MILE, HARE HATCH
TWYFORD, NR READING
BERKSHIRE RG10 9SW

APPEALS BY
Kennedy Garden Centres Ltd
Kings Acre Road
Hereford HR4 0SE

Statement of Case of Appellants under Rule 6 of the
Town & Country Planning Appeals (Determination by Inspectors)
(Inquiries Procedure) (England) Rules 2000

□

Mike Scott

CONSULTANTS LTD

□

1. THE APPEAL SITE AND ITS LOCATION

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PPG18 Enforcing Planning Control

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"Impact on the Green Belt
The principle of redevelopment of the garden centre has been established by previous permissions, most notably 99/70375/F."

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C0053/HFS/FW 18 December 2000

(whrulest)

Copy

Our Ref C0053/HFS

Department of the Environment
Ref: APP/X0360/A/00/1053278

WYEVALE GARDEN CENTRE
FLORAL MILE, HARE HATCH
TWYFORD, NR READING
BERKSHIRE RG10 9SW

APPEALS BY
Kennedy Garden Centres Ltd
Kings Acre Road
Hereford HR4 0SE

Statement of Case of Appellants under Rule 6 of the
Town & Country Planning Appeals (Determination by Inspectors)
(Inquiries Procedure) (England) Rules 2000

Nicol Scott

CONSULTANTS LTD

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"It is considered that the distance from Bath Road, the level of soft landscaping and the fact that the height is distributed across the five gables are such that the proposal would not appear detrimental to the visual and open/rural character of the Green Belt."

4.6 The glasshouses are attractive and suitable for their purpose being a modern garden centre which is popular with the public.

4.7 The consequence of dismissal of the appeal is a material consideration. Reducing the roof height would not be a straightforward matter. It would require substantial expenditure, and result in considerable inconvenience. Structural and landscape materials might be wasted, contrary to the principles of sustainability. It would not achieve any identifiable planning purpose as the glasshouses are not visually detrimental by reason of their height, nor indeed by any other reason.

4.8 Insofar as policy is relevant (the issue being essentially one of planning judgement) the appeal proposal complies with the environmental and design criteria of Policy C4 of the Berkshire Structure Plan 1991 - 2006, Policy 1 of the Green Belt Local Plan for Berkshire April 1985, and Policy WGB1 of the Wokingham District Local Plan Deposit Draft as amended February 2000. The appeal proposals comply with the Policy WOS1, WOS3 and WOS5 of the Wokingham District Local Plan Deposit Draft as amended February 2000 with regard to sustainability, making a positive contribution to the environment and landscape and by conserving natural resources.

C0053/HFS/FW 18 December 2000

(whrulest)

Tel. (0118) 974 6448 (Direct Line)
Date: December 7, 2000
My ref: F/2000/1164
Your ref: APP/X0360/A/00/1053278

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Miss A Groves
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Dear Miss Groves

APPEAL BY: Kennedy Garden Centres Ltd
SITE: Wyevale Garden Centre, Bath Rd, Hare Hatch.

With reference to this appeal, I enclose 2 copies of the Council's statement of the case.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date. November 17, 2000
My ref: F/2000/1164
Your ref:COO53

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Malcolm Scott Consultants Ltd
Grove House
Loves Grove
Worcester
WR1 3BU

Dear Sirs

APPEAL BY: **Kennedy Garden Centres Ltd**
SITE: **Wyevale Garden Centre, Hare Hatch**

With reference to this appeal, I enclose a copy of the questionnaire & associated documents.

I have also sent copies to The Planning Inspectorate.

Yours faithfully

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

Tel. (0118) 974 6448 (Direct Line)
Date: November 17, 2000
My ref: F/2000/1164
Your ref: APP/X0360/A/00/1053278

Mrs C Bate
The Planning Inspectorate
Room 1004
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Mrs Bate

APPEAL BY: Kennedy Garden Centres Ltd
SITE: Wyevale Garden Centre, Bath Rd, Hare Hatch

With reference to this appeal, I enclose a copy of the questionnaire & associated documents.
I have also sent a copy to the appellant's agent.

Yours sincerely

Denise Gumbrell (Mrs)
Appeals Assistant

Enc

The Planning Inspectorate

Room 1202W
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9878460
Switchboard 0117-9878000
Fax No 0117-9878804
1374-8460

PLANNING SERVICES
POL
DC
APP
CS
16 NOV 2000
COPIES TO: Legal
ACK:
FILE:

Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: F/2000/1164

Our Ref: APP/X0360/A/00/1053278

Date: 14 November 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY KENNEDY GARDEN CENTRES LTD
SITE AT WYEVALE GARDEN CENTRE, BATH ROAD, HARE HATCH, READING

I am writing to confirm that the inquiry into this appeal will open at 10:00 on Wednesday 7/3/2001 at The Council Offices, Shute End, Wokingham, which should be reserved for 1 day. * The sitting day is at the Inspector's discretion and may be changed once the inquiry has opened. Please arrange a car-parking space for the Inspector, and send the details to the case officer quoting our appeal reference number.

We will confirm the Inspector to you at a later date.

Please note that disabled people who may be concerned about facilities at the inquiry venue have been advised to write to or contact your Council to confirm that proper provisions are in place.

Yours faithfully

Miss H Langridge

NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.

* Council Chamber booked
+ C.R. 5 (11-2) for Inspector.

206BL

The Planning Inspectorate

Room 1004
Tollgate House
Houlton Street
Bristol BS2 9DJ
http://www.planning-inspectorate.gov.uk

Direct Line 0117-9876079
Switchboard 0117-9878000
Fax No 0117-9878443
GTN 1374-6079

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13 NOV 2000
COPIES TO:
ACK:
FILE:

Ms D Gumbrell (Planning Department)
Wokingham District Council
Po Box 157
Wokingham
Berkshire
RG41 1BN

Your Ref: ~~F/2000/1164~~

Our Ref: APP/X0360/A/00/1053278

Date: 9 November 2000

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY KENNEDY GARDEN CENTRES LTD
SITE AT WYEVALE GARDEN CENTRE, BATH ROAD, HARE HATCH, READING

I have received an appeal form and accompanying documents for this site. I am the case officer. If you have any questions please contact me. Apart from the questionnaire, please always send **2 copies** of all further correspondence, giving the full appeal reference number which is shown at the top of this letter.

I have checked the papers and confirm that the appeal is valid. If it appears at a later stage, following further information, that this may not be the case, I will write to you again.

The appellant has asked for an inquiry, which we are arranging. This letter is the **starting date** for the appeal.

I must **receive** the following documents within this timetable:

Within the next 2 weeks

You must notify any statutory parties and interested persons who were consulted at application stage and those who made comments that the appeal has been made. You should tell them that:-

i) any comments they made at application stage will be sent to me and if they want to make any additional comments I must receive 3 copies within **6 weeks of the starting date.** If we receive representations after the deadline, they will not normally be seen by the Inspector and they will be returned.
ii) they can get a copy of our booklet 'Guide to taking part in planning appeals' free of charge from you, and
iii) if they want to receive a copy of the appeal decision they must write to me asking for one.

You must make sure that the appellant and I receive a copy of a completed appeal questionnaire and supporting documents (including relevant development plan policies when appeals are against non-determination).

Within the next 6 weeks

You and the appellant must make sure that I receive 2 copies of any statement. I will send a copy of your statement to the appellant and send you a copy of their statement. You and the appellant must send a copy of your statements to any statutory parties.

I will send you and the appellant a copy of any comments we receive from interested parties.

Within the next 9 weeks

You and the appellant must make sure that I receive 2 copies of any comments on each other's statement and any comments on any representations received from interested parties. I will forward the appellant's to you at the appropriate time.

No later than 4 weeks before the inquiry

You and the appellant must make sure that I receive 2 copies of your proofs of evidence (and summary, where appropriate). The appellant has to make sure that I receive a copy of the statement of common ground.

You **must keep to the timetable** set out above and ensure that I receive your representations within the deadlines. If I do not, your representations will not normally be seen by the Inspector and they will be returned to you. As I have given details of the timetable, I will not send you reminders.

Withdrawing the appeal

If you hear that the appeal is to be withdrawn, please telephone me immediately. If I receive written confirmation of this from the appellant, I will write to you.

Further information about the terms we use in this letter and appeal procedures is on the attached sheet.

Yours faithfully

Miss A Bibi

301(BPR)

Statement of case

In your statement of case you will need to give full details of the case which you will put forward at the inquiry. You must include and list any documents, including maps and plans, to which you intend to refer to or use in evidence.

Statement of common ground

In the statement of common ground you should list all agreed matters. You and the appellant are expected to meet in advance of the inquiry, to agree the statement of common ground. This should include basic facts such as the site description, area, planning history, relevant planning policies, and as many other matters as possible relating to the appeal.

Proofs of evidence

A 'proof of evidence' is a written statement that you, the appellant or witness wants the Inspector to take into account at the inquiry. If the proof is more than 1500 words long you must also send me 2 copies of a written summary which should not be more than 10% of the length of the proof. The summary should reflect the contents of the proof and should not include new evidence. When a summary is provided only that will be read at the inquiry. If proofs and summaries are not received together and on time, the inquiry may be postponed.

Statutory parties

'Statutory parties' are owners or tenants of the appeal site who made comments within the time limit on the application or appeal. You must give details of any statutory parties at application stage in reply to question 15e of the questionnaire. I will tell you about any statutory parties at appeal stage, before your statement of case is due.

Costs

Costs can be awarded in inquiry cases. DOE Circular 8/93 gives more advice.

Planning obligations - Section 106 agreements

A planning obligation, often referred to as a 'section 106 agreement', is either a legal agreement made between the LPA and a person 'interested in the land', or a legally binding undertaking signed unilaterally by a person 'interested in the land'.

If you intend to rely on an obligation, a final draft must be received:-

i by the opening of an inquiry, which is scheduled to last more than one day

or

ii. 5 working days before the date of a one day inquiry.

Obligations should be completed by the close of an inquiry. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

The Planning Inspectorate

For official use only
Date received

PLANNING APPEAL FORM

Please send each appeal on a separate form

Your appeal and essential supporting documents must reach the Inspectorate within 6 months of the date shown on the Local Planning Authority's decision notice (or, for 'failure' appeals, within 6 months of the date by which they should have decided the application).

Before completing this form, please read our booklet 'Making your planning appeal' which was sent to you with this form.

WARNING: If any of the 'Essential supporting documents' listed in Section J are not received by us within the 6 month period, the appeal will not be accepted.

A. APPELLANT DETAILS

The name of the person(s) making the appeal must be the same as on the planning application form.

Name KENNEDY GARDEN CENTRES LTD

Address KINGS ACRE ROAD
HEREFORD

Postcode HR4 0SE

Your reference

Daytime phone no

Fax no

E-mail address

B. AGENT DETAILS (if any)

Name MALCOLM SCOTT CONSULTANTS LTD

Address GROVE HOUSE
1 LOVES GROVE
WORCESTER

Postcode WR1 3BU

Your reference C0053

Daytime phone no 01905 726 353

Fax no 01905 611 221

E-mail address mscconsultants@virgin.net

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA WOKINGHAM DISTRICT COUNCIL

Date of the planning application 31 MARCH 2000

LPA's application reference no F/2000/1164

Date of LPA's decision notice (if issued) 19 JULY 2000

D. APPEAL SITE ADDRESS

Address WYEVALE GARDEN CENTRE, FLORAL MILE, HARE HATCH
TWYFORD, NR READING, BERKSHIRE

Postcode RG10 9SW

National grid reference SU 801780

(Please see the key on an Ordnance Survey map for instructions; this should be 2 letters and 6 numbers, eg TQ 298407)

(This must be the same as on the application sent to the LPA, unless minor amendments were agreed)

REVISED ELEVATIONS TO GARDEN CENTRE BUILDING REF: PLANNING PERMISSION 99/70375/F

Size of the whole appeal site *(in hectares)*: 3.65 ha

Area of floor space of proposed development *(in square metres)*: 2784 m²

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

*Please tick **one** box only* ✔

1. Refuse planning permission for the development described in Section E. ☑
2. Grant planning permission for the development subject to conditions which you do not like. ☐
3. Refuse approval of details listed under a previous outline planning permission. ☐
4. Grant approval of details listed under a previous outline planning permission subject to conditions which you do not like. ☐
5. Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). ☐

or The failure of the LPA to give notice of its decision within the appropriate period (usually 8 weeks) of an application for permission or approval. ☐

G. GROUNDS OF APPEAL

If you want your appeal dealt with by the written procedure, your **FULL STATEMENT MUST** be made, otherwise we will return the appeal form. You should give a clear explanation of why you disagree with each of the LPA's reasons for not granting permission, if appropriate. Please continue on a separate sheet(s) if you need to and attach them to this form. If you have requested a hearing or an inquiry, please provide a brief outline of your case.

SEE ATTACHED SHEET

I. APPEAL SITE OWNERSHIP DETAILS

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal. YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES. Please read the enclosed *Guidance Notes* if in doubt.

If you are the sole owner of the whole appeal site, Certificate A will apply: *Please tick **one** box* ✔

CERTIFICATE A

☑

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates;

OR

CERTIFICATE B

☐

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates, as listed below:

Owner's name	Address at which notice served	Date the notice was served

CERTIFICATES C and D

☐

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D enclosed with the accompanying *Guidance Notes* and attach it to the appeal form.

AGRICULTURAL HOLDINGS CERTIFICATE (This has to be completed for all appeals)

We also need to know whether the appeal site forms part of an agricultural holding. Please tick either (a) or (b) **If the appellant is the sole agricultural tenant, (b) should be ticked and 'not applicable' should be written under 'Tenant's name'.**

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding; ☑

OR

(b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person other than the appellant who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below: ☐

Tenant's name	Address at which notice served	Date the notice was served

PLEASE SIGN BELOW

I confirm that this section has been fully completed and the details of the ownership of the appeal site are correct, to the best of my knowledge.

Signed H SCOTT (on behalf of) KENNEDY GARDEN CENTRES LTD

Name (in capitals) HELEN SCOTT Date 6/11/2000

Please turn over

J. ESSENTIAL SUPPORTING DOCUMENTS

The documents listed in 1–6 below, must be sent with your appeal form; 7–10 must also be sent if appropriate. If we do not receive all your appeal documents by the end of the 6 month appeal period, we will not deal with it. Please tick the boxes to show which documents you are enclosing.

✔

1. A copy of the original **planning application** sent to the LPA. ☑
2. A copy of the **site ownership certificate and ownership details** submitted to the LPA at application stage (this is usually part of the LPA's planning application form). ☑
3. A copy of the **LPA's decision notice** (if issued). ☑
4. A **plan showing the site outlined in red**, including two roads clearly named (preferably on a copy of a 1:10,000 Ordnance Survey map). ☑
5. Copies of **plans, drawings and documents** sent to the LPA as part of the application. ☑
6. Any **additional plans, drawings and documents** sent to the LPA but which did not form part of the original application (eg drawings for illustrative purposes). ☑

Copies of the following must also be sent, if appropriate:

7. **Additional plans or drawings** relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: ☐

_____

_____

8. Any relevant **correspondence** with the LPA. ☑
9. If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, please enclose:
   (a) the relevant outline application; ☐
   (b) all plans sent at outline application stage; ☐
   (c) the original outline planning permission; ☐
10. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐
11. If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers. ☐

_____

_____

K. PLEASE SIGN BELOW

(Unsigned forms will be returned. Signed forms must be received by us within the 6 month time limit)

1. I confirm that I have sent a copy of this appeal form and documents to the LPA – ***N.B.*** *if you do not, your appeal will not normally be accepted.*
2. I confirm that section J has been fully completed.
3. I will send 2 copies of any further documents relating to this appeal to the Inspectorate.

Signed Helen Scott (on behalf of) KENNEDYS GARDEN CENTRES LTD

Name (in capitals) HELEN SCOTT Date 6/11/2009

G. GROUNDS OF APPEAL (continued)

H. CHOICE OF PROCEDURE

Appeals dealt with by written representations are usually decided more quickly than by the hearing or inquiry methods. It is important that you read our booklet 'Making your planning appeal' about the various procedures used to determine planning appeals.

*Please tick **one** box only* ✔

1. WRITTEN REPRESENTATIONS ☐

Can the whole site be seen from a road or other public land and there is no need for the Inspector to enter the site (eg to take measurements or to enter a building)? If yes, please tick the box. If so, we will arrange an unaccompanied site visit. ☐

2. HEARING ☐

Although you may prefer a hearing, we will decide whether a hearing is suitable for your appeal after consulting the LPA.

3. INQUIRY ☑

Please give reasons why you think an inquiry is necessary.

THE ISSUES ARE SUCH THAT THEY NEED TO BE HEARD UNDER CROSS-EXAMINATION BEFORE THE INSPECTOR

The Planning Inspectorate is registered under the Data Protection Act to hold personal data supplied by you.

NOW SEND:

- **1 COPY to us at:**
  The Planning Inspectorate
  Appeals Registry
  Tollgate House
  Houlton Street
  BRISTOL
  BS2 9DJ
  Fax no: 0117 987 8769

- **1 COPY to the LPA**
  Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again as they will have everything which you sent them at application stage, but send them any supporting documents not previously sent to them as part of the application.
  If you do not send them a copy of this form and documents, we may not accept your appeal.

- **1 COPY for you to keep**

When we receive your appeal form, we will:

1) Tell you if it is valid.

2) Write to you and the LPA and tell you the procedure for your appeal.

3) Tell you the timetable for us receiving further information or representations.
If your representations are received after the deadline, they will not normally be seen by our Inspector and will be returned to you.

4) Tell you about the arrangements for the site visit, hearing or inquiry.

5) Tell you our Inspector's decision.

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The Copyright Unit
Her Majesty's Stationery Office
St Clements House
2-16 Colegate
Norwich NR3 1BQ

WYEVALE GARDEN CENTRE, BATH ROAD, HARE HATCH, READING

GROUNDS OF APPEAL

1. The appeal proposals relate to Hare Hatch garden centre which is a long established feature of this locality. The proposal will enable the Appellant to complete the replacement of outmoded and unattractive buildings with attractive new glasshouse buildings to modern standards. The proposals considerably enhance the facilities offered by the garden centre to the benefit of the large number of members of the public who choose to shop there.

2. Planning permissions were granted on 2 July 1999 (97/65329/F) and on 2 February 2000 (99/70375/F) for the replacement of the existing garden centre buildings with new glasshouses subject to conditions and an Agreement regarding highway improvements. The principle of replacement garden centre buildings with modern glasshouses has therefore been accepted.

3. Planning permission 99/70375/F was implemented by the erection of the majority of the new buildings. In error the glasshouses were erected 1.1m and 1.7m higher at the ridges than the approved elevations. The remaining part of the development not yet constructed will replace the old parabolic roof building which is at the end of its useful life and is considered to be inappropriate and unsympathetic in this location.

4. The planning application under appeal (F/2000/1164) was made in order to regularise the position. It is partially retrospective and partially prospective and seeks planning permission for revised elevations in respect of all the new buildings permitted by permission 99/70375/F. This permission was refused on 19 July 2000.

5. The Local Planning Authority have confirmed that:

   (a) notwithstanding that the refusal refers to "height mass and bulk", its objection will relate solely to the ridge height of the buildings

   (b) there is no issue regarding design (apart from height) or materials or landscaping

   (c) the only issue is the effect on the openness of the Green Belt.

6. There are only limited views of the garden centre from outside the site, mainly from the Bath Road. The new buildings are set well back from the Bath Road and the site is well landscaped. Further landscaping is proposed in accordance with approvals already given by the Local Planning Authority and could be further supplemented if considered necessary. In any event the glasshouses need to be considered in the context of other buildings and structures in the immediate vicinity, some of which are of greater height.

7. In the circumstances it is considered that the glasshouses do not and will not when completed have any adverse effect on the openness or visual amenity of the Green Belt in this location. They are wholly appropriate to serve the established garden centre and have been accepted in principle. It is considered that the additional height compared to that approved is not significant in planning terms and will not be readily appreciated by visitors to the site or those passing by on the Bath Road.

8. Refusal of planning permission was not, therefore, justified taking into account the matters referred to above and the likely economic consequences. This is confirmed by the fact that the Planning Officer recommended approval on the basis that "the proposal would not appear detrimental to the visual and open/rural character of the Green Belt" and that "the additional height, on balance, is not considered sufficiently detrimental to be able to substantiate a refusal on Green Belt grounds" and that "additional landscaping and the change in materials will ensure that the proposal will not appear overdominant in the streetscene".

C0053/HFS/th
6 November 2000
(appgrnds)

WYEVALE GARDEN CENTRE, FLORAL MILE, HARE HATCH, TWYFORD, READING, BERKSHIRE, RG10 9SW

APPENDICES ACCOMPANYING PROOF OF EVIDENCE OF HELEN SCOTT

DETR REF: *APP/XO3O/A/00/1053278*

Appendix no.

1. Location Plan

2. Drawing Number C0053 SK/07 Site Layout

3. Drawing Number C0053/08 Built Development in the Locality

4. Planning Permission 99/70375/F and Approved Drawings

5. Anthony Jellard Associates' drawing 2014/5/01 revision A Landscape Proposals (February 2000) approved pursuant to condition 05 of planning permission 99/70375/F

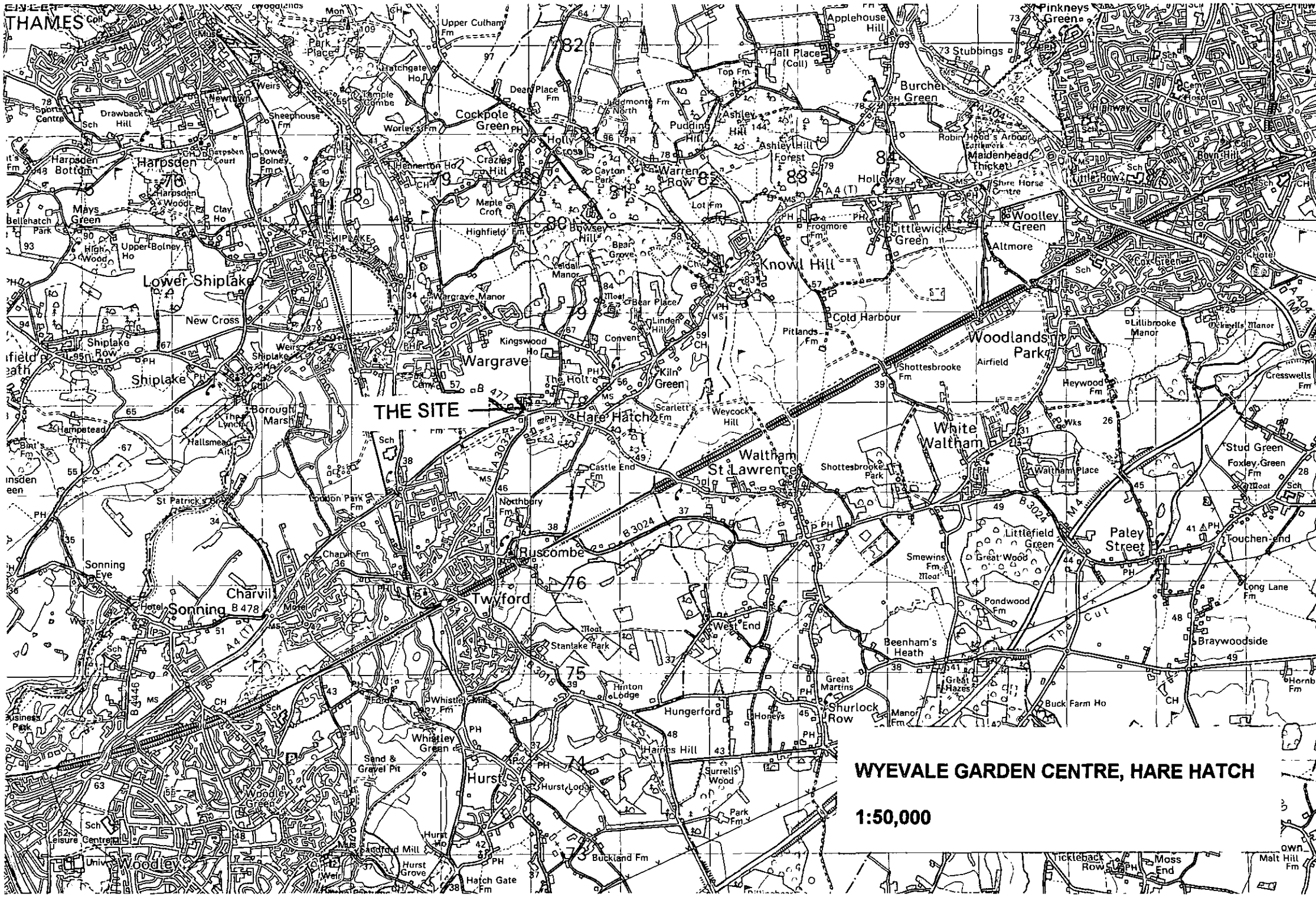
6. Application F/2000/1164 dated 31 March 2000

7. Policy Extracts from Berkshire County Structure Plan 1991-2006 incorporating Alterations Adopted in August 1997

8. Policy Extracts from Wokingham District Local Plan Deposit Draft with Proposed Amendments February 2000.

C0058/TH/th
05 February 2001
(appxlist)

APPENDIX 1


THE SITE
WYEVALE GARDEN CENTRE, HARE HATCH
1:50,000

APPENDIX 2

APPENDIX 3

APPENDIX 4

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

NOTIFICATION OF CONSENT FOR PLANNING PERMISSION

Kennedy's Garden Centres Ltd
Kings Acre Road
Hereford
HR4 0SE

Application No : 99/70375/F

Parish : WARGRAVE

Proposal : PROPOSED ERECTION OF REPLACEMENT BUILDINGS AT CENTRE (AMENDMENT TO APPROVAL 97/65329/F)

Location : KENNEDY'S GARDEN CENTRE, BATH ROAD, WARGRAVE

The Wokingham District Council in pursuance of their powers under the above Acts and Regulations hereby **GRANT PLANNING PERMISSION** for carrying out the above development in accordance with the application and the accompanying plans submitted to the Council subject to compliance with the following conditions, the reasons for which are specified hereunder.

CONDITION(S) :

01
The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

02
Before the building operations hereby permitted are commenced, samples and details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority and no external materials shall be used other than those approved.

03
Construction work of any sort shall only take place within the area covered by the application between the hours of 7.00am and 7.00pm Mondays to Fridays and 7.00am to 1.30pm Saturdays and no construction work shall take place on Sundays or Bank Holidays.

04
Provision shall be made to accommodate all site operatives' visitors' and construction vehicles loading, off-loading, parking and turning within the site during the construction period in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

05
No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include means of enclosure, hard surfacing materials and associated structures.

06
Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation and maintenance programme.

APPENDIX 5

APPENDIX 6

Please reply to:

Wyevale Garden Centre,
Cressing Road, Braintree, Essex, CM7 8DL
Tel: (01376) 344651 - Fax: (01376) 344658

Your ref: CD/FP1999/0002(70375)

Mrs. C. Dodsworth,
Development Control/Building Control Liaison Officer,
Environmental Services Department,
Planning Services,
Wokingham District Council,
P.O. Box 157,
Shute End,
WOKINGHAM,
Berkshire,
RG40 1WR.

31st March, 2000.

Dear Mrs. Dodsworth,

re: Wyevale Garden Centre, Bath Road (Floral Mile), Hare Hatch

Further to your letter of 10th March 2000 and our subsequent conversations, please find enclosed a planning application for the revisions to planning permission 99/70375/F which relate to elevations. Hopefully, you will find everything in order.

The structure is set well back from all boundaries which will minimise the visual effect of the changes. The company would welcome the opportunity to discuss further landscaping proposals which, if strategically positioned, would break up and soften the impact of the development.

Should you or any of your colleagues have any questions regarding this application, please do not hesitate to telephone.

Yours sincerely,

Stephen P. Cooper
Estates Manager

WOKINGHAM DISTRICT COUNCIL

PLANNING APPLICATION

PART 1

APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT - TOWN AND COUNTRY PLANNING ACTS

Please answer ALL QUESTIONS in BLOCK LETTERS. If a question is not applicable, answer N/A in space. Please submit SIX copies of this form and plans to:-

THE DISTRICT PLANNING OFFICER
WOKINGHAM DISTRICT COUNCIL
PLANNING DEPARTMENT
P O Box No. 157
COUNCIL OFFICES
SHUTE END
WOKINGHAM
BERKSHIRE. RG40 1WR

FOR OFFICE USE ONLY

1. APPLICANT'S NAME: Kennedy Garden Centres Limited
ADDRESS: Kings Acre Road
Hereford
POST CODE: HR4 0SE PHONE: 01432 276568

2. If the applicant has an agent, all correspondence will be sent to the agent
AGENT'S NAME:
ADDRESS:
POST CODE: PHONE:

3. On the plans show the SITE outlined in RED Show also OTHER land in the applicant's ownership or control in BLUE.
SITE LOCATION: Floral Mile, Hare Hatch, Twyford,
Nr. Reading, Berks. RG10 9SW.

4. WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used.
Revised elevations to garden centre building
Ref: Planning permission 99/70375/F

5. Give the area in hectares or part of a hectare
AREA OF SITE: 2.67 hectares

6. State the applicant's interest in the land e.g. owner, prospective purchaser, lessee
OWNERSHIP: Owner

7. List all the plans and drawings submitted with the application
PLANS/DRAWINGS: Location plan and drawing number 99148/10B

8. DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING ?
Tick the boxes(x)
CHANGE OF USE ☐ REDEVELOPMENT ☐
ERECTION OF NEW BUILDING ☐ ALTERATION or EXTENSION ☐

9. WHAT TYPE OF APPLICATION IS THIS ?
Tick one box only
OUTLINE PERMISSION ☐ See question 10
FULL PERMISSION ☑
APPROVAL OF DETAILS/RESERVED MATTERS ☐ State relevant outline permission number Also complete Question 10
TEMPORARY PERMISSION ☐ State period required
RELAXATION OF CONDITIONS ☐ State relevant application number Conditions to be relaxed

10. IF THIS IS AN OUTLINE APPLICATION OR AN APPROVAL OF RESERVED MATTERS, which details, if any, do you wish to be considered as part of this application ?
SITING ☐
EXTERNAL APPEARANCE ☐ DESIGN ☐
MEANS OF ACCESS ☐ LANDSCAPING ☐

11. WHAT IS THE EXISTING USE OF THE LAND AND/OR BUILDING(S) e.g. residential, industrial, etc. If the site is vacant say so, and also state its previous use and when that ceased.

Garden Centre.

12. DOES A PUBLIC RIGHT OF WAY CROSS OR ABUT THE SITE OR THE PROPOSED ACCESS?

~~YES~~/NO

If yes, show existing route(s) and any prop... alternatives on the plans

13. ARE THERE ANY TREES ON THE SITE? IF YES, ARE ANY TO BE FELLED?

YES/~~NO~~

None

If yes, please show their positions, spread ... on the plans and which, if any, are to be fell...

14. STATE EXTERNAL MATERIALS TO BE USED.

Brick, glass and polycarbonate (see drawings for details)

15. HOW WILL THE SITE BE ENCLOSED? Say whether walls, fences or hedges, and give height, colour and materials. If the site is divided into plots, say how each is to be enclosed.

No change

16. HOW WILL SURFACE WATER BE DISPOSED OF?

No change

17. HOW WILL FOUL SEWAGE BE DISPOSED OF?

To existing system YES/~~NO~~ in Tag Lane

If no, please give details

18. WHAT ARE THE ACCESS ARRANGEMENTS?
AS EXISTING
AS PROPOSED
Give details of pedestrian and vehicular access

Access as per previously authorised

19. HAS PROVISION BEEN MADE FOR THE DISABLED? See notes for applicants

Yes - level site, parking for disabled facilities provided

20. IF THIS PROPOSAL INVOLVES RESIDENTIAL DEVELOPMENT OR THE LOSS OF RESIDENTIAL UNITS, COMPLETE THE FOLLOWING TABLE

Not applicable

	No. OF DWELLINGS/HABITABLE ROOMS PROPOSED	TO BE RETAINED	TO BE LOST
HOUSE	/ •	/ •	/
BUNGALOW	/ •	/ •	/
FLAT/MAISONETTE	/ •	/ •	/
OTHER	/ •	/ •	/

21. DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL BUILDING OR USE?

YES/~~NO~~

* STATE No. OF HABITABLE ROOMS

If YES, complete Part 2 of the form

22. DOES THE PROPOSAL INVOLVE THE WINNING, WORKING OR PROCESSING OF MINERALS; THE DISPOSAL OF MINERAL WASTE, OR THE DEPOSIT OR PROCESSING OF REFUSE AND WASTE MATERIALS?

~~YES~~/NO

If YES, please ask for and complete Part 2 of the form

23. STATE THE FEE ENCLOSED WITH THIS APPLICATION
The current scale of fees is enclosed. If you believe a reduced fee or no fee is payable, say why.

Nil

I hereby apply for permission in respect of the particulars described above and in the attached plans and d... is granted, the development must be carried out strictly in accordance with the approved plans. Failure to d... enforcement action being taken. Permission under the Town & Country Planning Acts does not obviate the ... Building Regulations approval.

SIGNED [signature] ON BEHALF OF [illegible] DATE [illegible]

Before submitting the application check that it is complete, that all questions have been answered and that the site boundary and the new work are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate and fee. See "NOTES TO HELP APPLICANTS".

PLANNING APPLICATION

...is part of the form need only be completed if the application involves non-residential development. Please answer all questions in print or ...ock letters. If the answer is not applicable, write N/A in the space. You may wish to amplify your answers in a covering letter.

24. STATE THE GROSS FLOOR SPACE (by external measurement) OF ALL BUILDINGS TO WHICH THIS APPLICATION REFERS.
Please give all floor areas in SQUARE METRES.

No change from that authorised previously

	USE CLASS	Existing floor space		Proposed additional floorspace created by	
		Retained in existing use	Lost by change of use or demolition	New building	Change of use
A1	SHOPS				
A2	FINANCIAL AND PROFESSIONAL SERVICES				
A3	FOOD AND DRINK				
B1(a)	OFFICE (other than A2)				
B1 (b)	RESEARCH AND DEVELOPMENT				
B1 (c)	LIGHT INDUSTRIAL				
B2	GENERAL INDUSTRIAL				
B3-7	SPECIAL INDUSTRIAL				
B8	STORAGE OR DISTRIBUTION				
C1	HOTELS AND HOSTELS				
C2	RESIDENTIAL INSTITUTIONS				
D1	NON-RESIDENTIAL INSTITUTIONS				
D2	ASSEMBLY AND LEISURE				
OTHER	Please Specify				
OTHER	Please Specify				
	TOTAL				

25. IF C1 OR C2 USE IS PROPOSED, PLEASE STATE NUMBER OF BED SPACES — Not applicable

26. WHAT PROVISION IS BEING MADE FOR PARKING?

	Cars	Lorries
Existing	310 approx.	
Proposed	420 approx.	

27. DESCRIBE THE ACTIVITY OR PROCESSES TO BE CARRIED ON
Please provide details of any equipment, plant or machinery to be installed and any end products. You may wish to amplify your answers in a covering letter. — Garden Centre

28. WHO WILL OCCUPY THE PREMISES?
a) Give the name and current operating address of the proposed occupier.
b) Will these premises be vacated? — Wyevale Garden Centres plc., Kings Acre Road, Hereford, HR4 0SE.

29. IF KNOWN, HOW MANY PEOPLE ARE LIKELY TO BE EMPLOYED ON SITE AFTER COMPLETION OF THE DEVELOPMENT? — Not known

Existing Staff	Transferred Staff	New Staff	Total

30. DOES THE PROPOSAL INVOLVE THE USE OR STORAGE OF ANY OF THE HAZARDOUS SUBSTANCES LISTED IN THE NOTES?
If so, state this material, the quantity and method of storage. — Not aware of any

Before submitting the application check that it is complete, that all questions have been answered and that the site boundary and the new wor... are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate and fee. See "NOTES TO HEL... APPLICANTS'.

1789/a

SECTION 66 CERTIFICATE

Application No.

Please fill in both Certificate A, B, C or D and the Agricultural Holdings Certificate. Delete sections not relevant.

(a) "Owner" means a person having a freehold interest or leasehold interest the unexpired term of which is not less than 7 years.

OR

+ See Note (a) to Certificate A

OR

(b) Insert description of steps taken.

(c) Name of local newspaper circulating in the area where the land is situated.

(d) Date of publication (which must be not earlier than the beginning of the period of 21 days ending with the date of the application).

CERTIFICATE A

I certify that:

at the beginning of the period of 21 days ending with the date of the accompanying application, nobody, except the applicant, was the owner of (a) of any part of the land to which the application relates.

CERTIFICATE B

I certify that:

I have/The applicant has* given the required notice to everyone else who, at the beginning of the period of 21 days ending with the date of the accompanying application was the owner (a) of any part of the land to which the application relates, as listed below.

Owner's(a) name	Address at which notice was served	Date on which notice was served

CERTIFICATE C

I certify that

- I/The applicant* cannot issued a certificate in accordance with either paragraph (a) or paragraph (b) of Section 66(1) of the Act in respect of the accompanying application.

- I have/The applicant has* given the required notice to the persons specified below, being persons who at the beginning of the period of 21 days ending with the date of the application were owners (a) of any part of the land to which the application relates.

Owner's(a) name	Address at which notice was served	Date on which notice was served

- I have/The applicant has* taken all reasonable steps open to me/him/her* to find out the names and addresses of the other owners (a) of the land, or of a part of it, but have/has* been unable to do so. These steps were as follows:

(b) .....

.....

- Notice of the application as attached to this Certificate, has been published in the (c) .....

on (d) .....

CERTIFICATE D

I certify that

● I/The applicant cannot issue a certificate in accordance with paragr (a) of Section 66 of the Act in respect of the accompanying applicatio

● I/The applicant have/has taken all reasonable steps open to me/him/ to find out the names and addresses of everyone else who, at the beginn of the period of 21 days beginning with the date of application was owner (a) of any part of the land to which the application relates, but have/l been unable to do so. These steps were as follows:

(b) . . . . . .

. . . . . .

● Notice of the application as attached to this Certificate, has been published

the (c) . . . . . .

on (d) . . . . . .

OR

(b) Insert description of steps taken

(c) Insert name of local newspaper circulating in the area where the land is situated.

(d) Insert date of publication (which must not be earlier than the beginning of the period of 21 days ending with the date of the application).

ALL APPLICANTS MUST COMPLETE THIS SECTION

If any of the site is part of an area of land which is let or there is an agreement to let the land for agricultural purposes to a tenant, it may be an agricultural holding. Further advice may be obtained from the Department.

Agricultural Holdings Certificate

One or other section must be crossed through as not applicable.

If the applicant is the sole agricultural tenant he or she must delete the fir alternative and insert "not applicable" as the information required by the secon alternative.

● None of the land to which the application relates is, or is part of, an agricultur holding.

OR

● I have/The applicant has given the required notice to every person other tha my/him/herself who, at the beginning of the period of 21 days ending with th date of the application, was a tenant of an agricultural holding on all or part o the land to which the application relates, as follows:

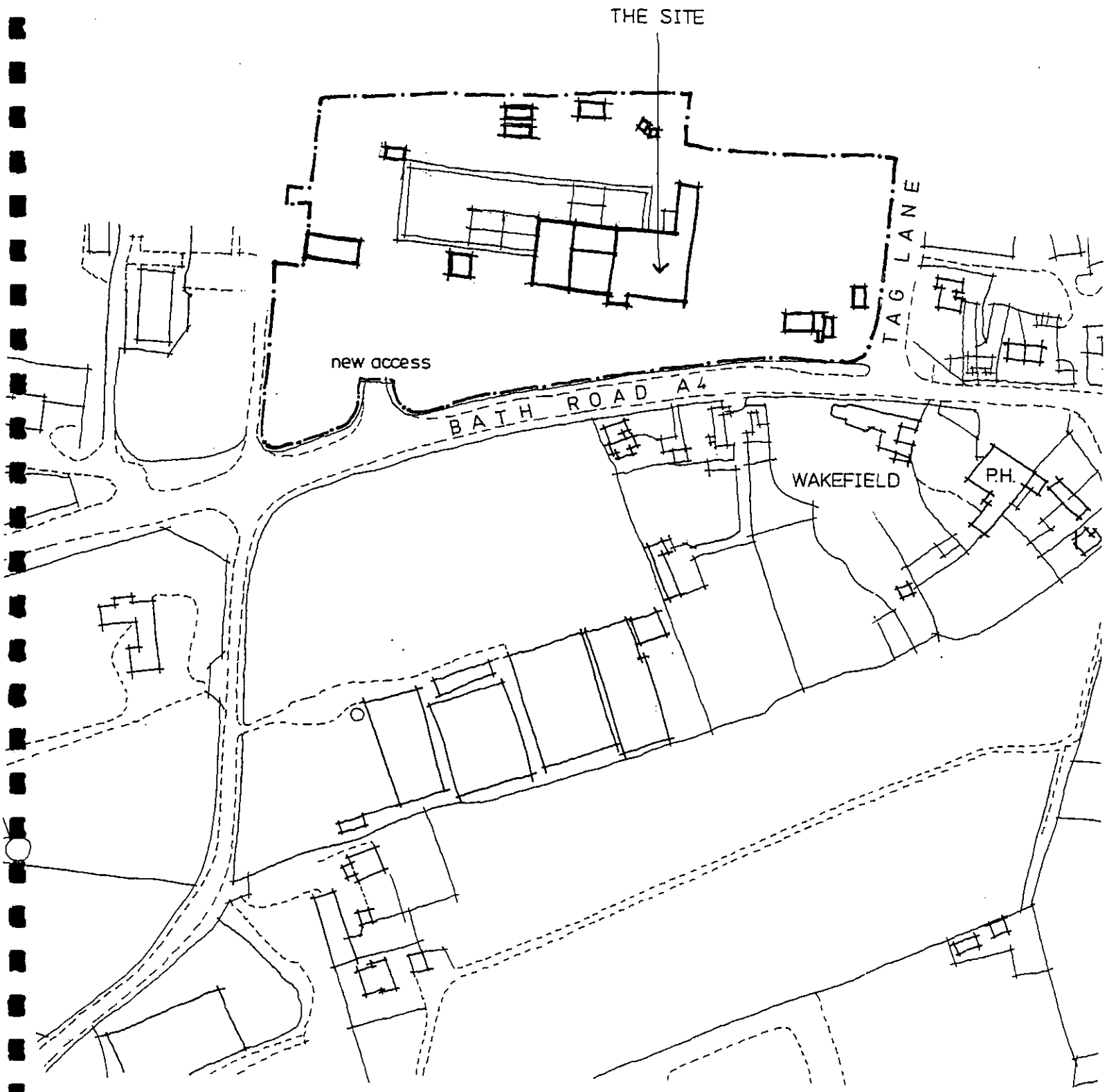
Tenant's name	Address at which notice was served	Date on which notice was served

Signed . . . . . .

On behalf of . . . . . Kingsley Group Leeds Ltd

Date . . . . . 31st March 2000

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN & COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988
Certificate under Section 66



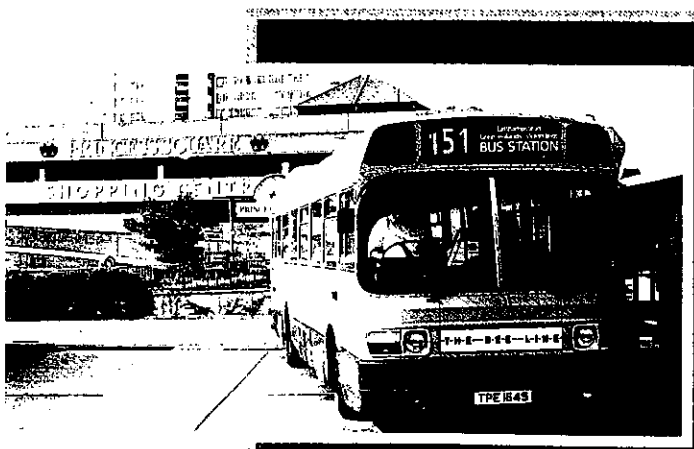
'ATION PLAN.

APPENDIX 7



BERKSHIRE STRUCTURE PLAN 1991-2006

Incorporating Alterations adopted in August 1997





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Public Services Division

LIMITING THE IMPACT OF DEVELOPMENT

4.1 The previous chapter emphasised the overriding importance of securing sustainable development, improving the quality of life in all parts of Berkshire and protecting (and where possible, enhancing) the environment in its widest sense.

4.2 To reinforce the overall strategy, policies set out in this chapter provide the starting point for considering all development proposals.

SUSTAINING BERKSHIRE'S ENVIRONMENT

4.3 Planning policies in Berkshire have a contribution to make to the conservation of natural resources and this theme underlies a number of policies in the Plan. While it is appreciated that many issues can only be partly addressed through the planning system, there are a number of measures that may be taken by which the impact of development on both the local and global environments can be reduced.

4.4 New development offers an important opportunity to secure the conservation of energy and natural resources, by means ranging from broad-scale decisions about location; through more specific decisions about the orientation of buildings and siting of shelter belts; to consideration of design, materials and the recycling of waste.

Sustainable Development

Policy LD1 **In formulating policies in local plans and in considering development proposals, account will be taken of the extent to which development is sustainable in its location and form; helps to conserve natural resources, including land, water and fossil fuels; and minimises the risk of pollution.**

4.5 The principles of sustainable development are explicitly recognised in recent Planning Policy Guidance Notes, in particular, PPG's 1, 12 and 13 and MPG6 on Provision of Aggregates. Policy LD1 is aimed at sustaining Berkshire's environment and helping to address wider environmental concerns through the formulation of policies in local plans and the consideration of development proposals. In seeking to achieve the aims expressed in Policy LD1, development will be sought which accords with the following principles. (Cross references to other policies in the Plan of particular relevance are listed after each sub-section).

(i) making the best use of land resources, for example, by protecting the open countryside and by maximising the use for development of urban land especially where vacant or derelict (where this is compatible with conserving and enhancing the quality of the urban environment) (OS1, C2, C4, C6, C10, EN1, H5, BU1, S4, R7, M2, W3) ;

(ii) helping to conserve energy and water by means of layout, design, orientation and landscaping of buildings. Regard to these considerations can allow for the implementation of schemes benefiting from passive solar gain and/or combined heat and power/district heating systems (EN1);

(iii) using renewable rather than non-renewable materials, and materials requiring a low energy input for their production (W2);

(iv) minimising the risk of harm to human health and to the environment from noise, vibration, effluent, fumes and other pollution including gas arising from landfill sites. In accordance with advice in PPG23 'Planning and Pollution Control', local planning authorities will need to consult the appropriate pollution control authority (EN2, EN3, W1, W3, W5);

(v) minimising waste generation through re-using building materials where economically viable and appropriate, and separating all re-usable waste arising through development from demolition and construction. In considering proposals for recycling materials, including construction waste, it will be necessary to balance local concerns with the wider environmental benefits of recycling (LD2, W2);

(vi) locating land uses so as to minimise the need for travel, particularly by private vehicles, and increasing the opportunities for other less energy intensive forms of transport. For example, Policy H4 states that proposals for housing development should be satisfactorily located in terms of their relationship to employment opportunities and shopping and service facilities (LD5, H4, S4, R6, R7);

(vii) avoiding irreversible damage to the landscape, natural habitats or features of aesthetic, historic or scientific interest (C7-C9, EN4-EN10).

Recycling Facilities

4.6 The new Waste Strategy for Berkshire, incorporating the Waste Local Plan being prepared by the County Council, will encompass detailed policies for the provision of recycling facilities in new development.

Provision of Recycling Facilities

Policy LD2 **Major development and developments frequently attracting a significant number of people will be expected to make provision for appropriate recycling facilities.**

4.7 The above policy seeks provision (on-site or by contribution towards provision elsewhere) of recycling facilities which are appropriate in terms of their size, type and location to the development proposed. Except in the case of housing schemes, this provision will be related to the level and location of car parking provided in association with the development.

4.8 The provision of suitable small recycling facilities, such as bottle and can banks, in association with development acceptable under other policies in this Plan, will contribute towards meeting a target of recycling at least 25% of the County's household waste by the year 2000 as proposed in Policy W2 (35% by 2007). The nature and type of facilities will depend on the type of development and the waste management systems being used. However, the facilities may include two separate elements :

- local recycling facilities for the public to deposit different types of recyclable material; and
- facilities for source separation and storage of different types of waste.

4.9 Policy LD2 will normally apply to the following categories of development:

(i) housing proposals for 100 or more dwellings;

(ii) new development, redevelopment or refurbishment of shopping centres or facilities where the floorspace of existing and new development amounts to 500 sq.metres or more;

(iii) business, industrial, distribution or storage development involving a net increase in floorspace of 500 sq.metres or more;

(iv) major transport, leisure, recreation, tourist or community facilities;

(v) car parks for the public including 'park and ride' schemes with over 200 spaces; and

(vi) appropriate smaller developments which frequently attract a significant number of people (e.g. community or shopping schemes).

ENVIRONMENTAL IMPACT

4.10 The County Council considers that even where proposals for development may be acceptable in principle within the provisions of other policies in the Structure Plan and in local plans, local planning authorities need to be satisfied that proposals will not have any significant adverse environmental impact.

Environmental Impact of Development

Policy LD3 **Development proposals will only be permitted where they do not give rise to an unacceptable impact on the environment, including serious harm to the character or appearance of an area, or the amenities of neighbouring land uses.**

4.11 In a highly constrained County such as Berkshire, most major development is likely to have a significant impact, either by itself or cumulatively, and environmental assessments may be required for a wider range of development than that specifically referred to in Circular 15/88 in order to determine the acceptability of proposals.

4.12 Circular 15/88, which explains the provisions of the Town and Country Planning (Assessment of Environmental Effects) Regulations advises that environmental assessments need to be carried out for development proposals which are likely to have significant environmental impacts by virtue of their nature, size and location. To enable the local planning authorities to make such assessments, relevant proposals should be accompanied by "environmental statements" on the lines set out in Schedule 3 to the Regulations. The Circular gives a broad indication of the type and scale of project which may require an environmental assessment, although it is recognised that an assessment may also be needed for smaller development proposals where they are likely to give rise to significant environmental effects.

4.13 It will be up to the local planning authorities to determine the size, location and types of development for which an environmental assessment will normally be required. The environmental statement provided by a developer with a planning application should examine the impacts of the proposed development and make clear how measures to ameliorate these impacts have been incorporated into the design of the development, so that the local planning authorities can properly undertake an environmental assessment. Judgement as to whether on balance a particular proposal is likely to have an unacceptable impact on the environment will depend upon the size, location and type of development being considered.

4.14 Many proposals which do not necessitate a full environmental statement as specified in Schedule 3 to the Regulations may, nevertheless, have a substantial environmental impact either individually or cumulatively with other schemes. In such cases, planning applications will need to be accompanied by sufficient relevant information for their impact to be assessed by the local planning authority.

4.15 The County Council, as highway authority, will ensure that the environmental impact of new transport schemes or improvements is minimised. Improvements to the highway network will need to take account of the broader environmental implications, as well as the transport benefits of any scheme.

Environmental Impact of Transport Schemes

Policy LD4 **The County Council will seek to ensure that the environmental impact of any transport scheme is kept to the practical minimum by comprehensive planning.**

4.16 Steps to be taken in seeking to minimise the potential environmental impact of transport improvements will include careful alignment, design and use of materials, together with comprehensive landscaping and forms of lighting and signage that are as unobtrusive as possible.

APPENDIX 8



Wokingham District Local Plan
Deposit Draft

With Proposed Amendments Highlighted

February 2000

- **Proposed Amendments April 1999**
- **Additional Proposed Amendments September 1999**
- **Proposed Transport Amendments February 2000**

1.0 OVERALL STRATEGY

INTRODUCTION

1.1 In developing the District Local Plan the Council agreed an Overall Strategy (set out in para. 0.9) for the plan. The Overall Strategy seeks to slow down the rate of development within the District and to promote sustainable development in order to protect and enhance the quality of the environment within the plan area and also to meet the social and economic aspirations of the District.

1.2 In considering development proposals the achievement of sustainable development is a fundamental principle. However there are other issues that form part of the overall sustainable development approach which also need to be considered when dealing with development proposals. It is the aim of this chapter to set out the fundamental policies from which the remaining policies of the plan take their lead.

1.3 The plan area is under pressure to accommodate new homes, jobs, services and improved transport facilities and in doing so maintain a prosperous economy. It is important that local commerce and industry produces a dynamic local economy that makes a positive contribution to the character, environment and quality of life of those who live and work in the District.

POLICY FRAMEWORK

Strategic Policy

1.4 This approach accords with the overall approach to development adopted by Berkshire County Council in the *Berkshire Structure Plan 1991 - 2006* which states that:

> 'Sustainable levels, forms and locations of development are ... sought which contribute towards meeting the needs and aspirations of today's society for homes, jobs and services, without compromising the ability of future generations to meet their own needs. This implies a greater reliance on the use of renewable resources at an acceptable level, coupled with the conservation of non-renewable resources and the reduction of land, water and air pollution. In addition, growth during the Plan period needs to be kept down to levels which can be accommodated within ... *environmental and other* limits.' (Para. 3.7 of Berkshire Structure Plan 1991 - 2006).

POLICIES

1.5 The policies set out below aim to ensure that such an approach is achieved.

POLICY WOS1: SUSTAINABLE DEVELOPMENT

THE COUNCIL WILL ENSURE, WHERE POSSIBLE, THAT DEVELOPMENT IS SUSTAINABLE AND IMPROVES THE QUALITY OF LIFE WITHIN THE PLAN AREA BY PURSUING THE FOLLOWING OBJECTIVES:

A) TO CONTINUE TO SLOW DOWN THE RATE OF DEVELOPMENT WITHIN THE PLAN AREA TO ENSURE THAT THE BEST OF THE EXISTING ENVIRONMENT

Cont.

IS CONSERVED WHILST PROVIDING APPROPRIATE DEVELOPMENTS WHICH MEET LOCAL NEEDS

B) GIVE PRIORITY WITHIN a) TO MEETING THE DISTRICT'S ECONOMIC AND SOCIAL NEEDS, INCLUDING THE PROVISION OF LOW-COST HOUSING AND A WIDER RANGE OF EMPLOYMENT OPPORTUNITIES

C) CONSERVING AND ENHANCING THE PATTERN OF TOWN AND PARISH COMMUNITIES BY RETAINING AND EMPHASISING THE BALANCE BETWEEN TOWNS AND VILLAGES, COUNTRYSIDE AND SETTLEMENTS, OPEN RIVER VALLEYS AND ENCLOSED WOODLANDS

D) TO PROVIDE FOR EMPLOYMENT, HOUSING, SHOPPING AND SERVICES IN PLACES THAT MINIMISE THE NEED FOR TRAVEL BY PRIVATE CAR

E) THAT NEW DEVELOPMENT MAKES A POSITIVE CONTRIBUTION TO THE CHARACTER, ENVIRONMENT, LANDSCAPE, HERITAGE WITHIN THE PLAN AREA

F) ~~TO CONSERVE NATURAL RESOURCES TO MINIMISE POLLUTION~~ **(PA 1/3)**

F1) TO CONSERVE NATURAL RESOURCES **(PA 1/3)**

F2) TO MINIMISE POLLUTION ***(PA 1/3)***

G) TO SEEK IMPROVEMENTS TO INFRASTRUCTURE, SERVICES AND AMENITIES.

H) TO ENCOURAGE AND SUSTAIN BALANCED RURAL COMMUNITIES **(PA 1/1)**

I) TO DEVELOP BROWNFIELD SITES IN PREFERENCE TO GREENFIELD SITES **(PA 1/2)**

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Limiting the Spread of Development

1.6 The Council recognises the need to maintain an acceptable level of environmental quality and considers that the maintenance of a clear distinction between built-up areas and the countryside is fundamental to achieving this aim. Such an approach helps to ensure that individual settlements retain their identity and that the open and rural character of land outside the boundaries of identified settlements is retained. Accordingly it is intended to limit development outside identified settlements to that which is appropriate to the countryside ~~or has special reason to locate there~~ *OR FOR WHICH A RURAL LOCATION IS ESSENTIAL.* **(PA 1/4)** Although these uses are acceptable in principle, they must also be acceptable in practice.

1.7 In order to be consistent in the treatment of settlements having common characteristics, it has been necessary to draw up a definition of the classification of settlements as used in the policies and proposals contained in this plan and as shown on the proposals map.

1.8 An 'identified' settlement or built-up area must possess all the following characteristics:

(i) a sizeable amount of development in a compact form (if development is dominated by, or interspersed with, areas of land that are characteristically rural or open, it will not come within this criterion)

(ii) possess a range of basic services, such as a primary school, shop and community facilities, providing a forum for social contact

(iii) be physically and socially cohesive.

POLICY WOS3: DEVELOPMENT CONTROL PRINCIPLES

THE COUNCIL WILL REQUIRE ALL DEVELOPMENT PROPOSALS THAT ARE ACCEPTABLE IN PRINCIPLE WHEN ASSESSED AGAINST OTHER POLICIES OF THIS PLAN TO:

A) BE APPROPRIATE IN SCALE OF ACTIVITY AND CHARACTER TO THE AREA IN WHICH THEY ARE LOCATED AND BE INTEGRATED INTO THEIR LOCAL CONTEXT WITHOUT DETRIMENT TO THE AMENITIES OF ADJOINING LAND USES AND OCCUPIERS

B) ~~RETAIN~~ *HAVE NO SIGNIFICANT DETRIMENTAL IMPACT UPON (***PA 1/6)** IMPORTANT MAN-MADE, LANDSCAPE AND NATURE CONSERVATION FEATURES AND PROVIDE FOR FURTHER LANDSCAPE TREATMENT WHERE RELEVANT TO THE TYPE OF DEVELOPMENT AND/OR THE PROTECTION OF LOCAL VISUAL AMENITY

C) BE BOTH LOCATED AND DESIGNED SO AS TO REDUCE THE NEED TO TRAVEL AND ENCOURAGE THE USE OF WALKING, CYCLING AND PUBLIC TRANSPORT AS ALTERNATIVES TO THE CAR

D) HAVE NO SIGNIFICANT EFFECT ON ROAD SAFETY OR CAUSE HIGHWAY, TRAFFIC GENERATION OR TRAFFIC RELATED ENVIRONMENTAL PROBLEMS

E) PROVIDE BUILDINGS, FACILITIES AND SPACES THAT ARE CAPABLE OF USE BY PEOPLE WHO HAVE MOBILITY OR SENSORY IMPAIRMENT

F) BE OF HIGH QUALITY OF DESIGN THAT RESPECTS THE LOCAL CONTEXT BY VIRTUE OF SITING, LAYOUT, MASSING, MATERIALS, COLOUR AND TEXTURE.

Implementation: Through the development control process.

Monitoring: Planning applications determined.

Services, Amenities and Infrastructure

1.13 It is a principle of good planning that new development should provide the necessary infrastructure, including services and amenities, needed to support the development. This is a material consideration in considering planning applications (as set out in Circular 1/97, *Planning Obligations*). An explicit assessment must be made of infrastructure requirements arising from the development and how these should be met. Such provision is a key element in the quality of life or new and existing residents. Supplementary planning guidance has been produced setting out the implementation of Policy WOS4 below.

POLICY WOS4: SERVICE, AMENITIES AND INFRASTRUCTURE REQUIREMENTS FOR NEW DEVELOPMENT

WHERE DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE, UNDER THE POLICIES OF THIS PLAN, DEVELOPMENT PROPOSALS WILL BE EXPECTED TO HAVE

Cont.

REGARD TO EXISTING LEVELS OF INFRASTRUCTURE, SERVICES AND AMENITIES.

WHERE THE DEVELOPMENT GIVES RISE TO THE NEED FOR THE PROVISION OF NEW OR EXTENDED PUBLIC AND COMMUNITY SERVICES, PERMISSION WILL NOT BE GIVEN UNTIL THE PLANNING AUTHORITY IS SATISFIED, BY IMPOSING CONDITIONS, OR WHERE THESE ARE NOT APPROPRIATE OR ADEQUATE, BY SEEKING A LEGAL AGREEMENT, THAT AN APPROPRIATE LEVEL OF INFRASTRUCTURE, SERVICES AND AMENITIES REQUIRED AS A CONSEQUENCE OF, AND DIRECTLY RELATED TO, THE DEVELOPMENT IS CAPABLE OF BEING, AND WILL BE, PROVIDED WITHIN THE TIMESCALE OF THE PROPOSED DEVELOPMENT IN ACCORDANCE WITH AN AGREED PHASING PROGRAMME.

THE COUNCIL WILL PRODUCE SUPPLEMENTARY PLANNING GUIDANCE REGARDING THE IMPLEMENTATION OF THIS POLICY.

Implementation: Through the development control process and in consultation with service providers.

Monitoring: Planning applications determined and reporting to Services, Amenities and Infrastructure Working Party.

Environmental Improvements

1.14 It is important that wherever possible development makes best use of existing resources and enhances the existing area to reduce impacts on amenities and preserve non-renewable resources such as greenfield sites. This accords with Central Government advice and policies contained within the Berkshire Structure Plan 1991 - 2006. Such opportunities may occur both on and off the development site when they are directly related to the proposal.

POLICY WOS5: ENVIRONMENTAL IMPROVEMENTS

WHEN CONSIDERING PROPOSALS FOR DEVELOPMENT, OPPORTUNITIES WILL BE SOUGHT TO SECURE ENVIRONMENTAL IMPROVEMENTS, BOTH ON AND OFF-SITE. *THESE MAY FOR EXAMPLE INCLUDE:*

A) THE USE OF BROWNFIELD SITES IN PREFERENCE TO GREENFIELD SITES

B) LANDSCAPING, INCLUDING MAJOR STRUCTURAL LANDSCAPING ON SENSITIVE AND EXPOSED SITES

C) PROVISION OF RECYCLING FACILITIES

D) RE-USE AND REFURBISHMENT OF EXISTING BUILDINGS IN PREFERENCE TO REDEVELOPMENT

E) UPGRADING OF THE EXISTING URBAN FABRIC

F) THE RELOCATION OF BAD NEIGHBOUR TYPE USES AND REDEVELOPMENT FOR MORE APPROPRIATE USES. **(PA 1/7)**

Implementation: Through the development control process.

Monitoring: Planning applications determined and assessment of land involved.

SINGLE PHASE. APPLICATIONS FOR SUBSEQUENT STAGES AND/OR REVISIONS TO STAGES THAT HAVE ALREADY RECEIVED PLANNING PERMISSION WILL ONLY BE CONSIDERED FAVOURABLY IF THEY ARE CONSISTENT WITH THE OVERALL PRINCIPLES OF THE DEVELOPMENT AND ANY DEVELOPMENT BRIEF.

Implementation: Through the development control process.

Monitoring: Check quality of development on the ground.

4.12 Wherever development is acceptable in principle, sustainable forms of development will be encouraged. Preference will be given to robust building designs, which are capable of being put to different uses if the original use is no longer viable.

4.13 The demolition of buildings during redevelopment schemes can produce large amounts of waste that contain useful raw materials for the construction process. The majority of this builders' waste is rubble which is disposed of in landfill sites. It is expensive to transport and wasteful of energy. Any policy to encourage the re-use of such waste is strongly supported in Minerals Planning Guidance Note (MPG6) *Guidelines for Aggregates Provision in England*, which specifically refers to inert waste. There is also strong support in the adopted *Waste Management Plan for Berkshire*; the recycling target for this type of waste for Berkshire is 40% by the year 2005/06. Where mobile plant and equipment is being used, demolition and excavated material can be processed for re-use in the construction of a project, without leaving the site. Financial benefits can accrue from this environmentally sensitive approach, particularly on larger developments.

POLICY WBE4: ENVIRONMENTALLY RESPONSIBLE DEVELOPMENT

THE COUNCIL WILL ENCOURAGE DEVELOPMENT WHICH IS ENVIRONMENTALLY RESPONSIBLE HAVING REGARD TO THE FOLLOWING:

a) ENERGY EFFICIENT *LAYOUT AND* **(PA 4/1)** BUILDING FORMS

b) THE USE OF RECYCLED MATERIALS OR MATERIALS FROM SUSTAINABLE SOURCES.

Implementation: Through the development control process, including use of design guidance, including Sustainability ~~Guideline A5 (expected to be completed by the end of 1997).~~ *GUIDELINES A3, A4 AND A5.* **(PA 4/1)**

Monitoring: Check quality of development on the ground. Assess % of development using recycled materials, % of development using sustainable forms (use Eco-audit). Assess % of dwellings with good energy efficiency rating.

THE PUBLIC REALM

4.14 The layout of new development and the design of single buildings often has an influence on safety and security in the urban environment. Natural surveillance is an important factor in this; where possible, development should front onto public spaces.

APPEAL: APP/X0360/A/00/1053278

APPELLANT: Kennedy Garden Centres Ltd

SITE: Wyevale Garden Centre, Floral Mile, Hare Hatch

L.P.A. REF: F/2000/1164

Conditions proposed should the appeal be allowed:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

2. The materials and glazing utilised in the completion of the garden centre shall be as currently used, and shall not vary in any respect without the written permission of the Local Planning Authority.

3. Construction works of any sort shall only take place within the area covered by the application between the hours of 07:00 and 19:00 Monday to Fridays and 07:00 and 13:30 Saturdays and no construction work shall take place on Sundays or Bank holidays.

4. Provision shall be made to accommodate all site operatives' visitors' and construction vehicles loading, off-loading, parking and turning within the site during the construction period in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

5. Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on the adjacent public highways in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

6. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (eg. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant].

7. Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation and maintenance programme].

8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

9. Details of the site lorry parking and loading areas approved by the Local Planning Authority under 99/70375/F shall be fully implemented and completed prior to the first occupation of the redevelopment shall be retained for parking and unloading at all times thereafter.

10. The redundant buildings to be demolished under this appeal proposal shall be removed from site before any new construction is undertaken.